

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
NWC intersection of Pulaski
Highway & Hanzlik Avenue * ZONING COMMISSIONER
8231 Pulaski Highway * OF BALTIMORE COUNTY
15th Election District
7th Councilmanic District
James S. Chalk * Case No. 97-398-A
Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 8231 Pulaski Highway in eastern Baltimore County. The Petition was filed by James S. Chalk, property owner. Variance relief is requested from Sections 255.1 and 238.2 of the Baltimore County Zoning Regulations (BCZR) to permit building to building setbacks of 10 ft. and 28 ft. in lieu of the required 60 ft.; to permit rear yard setbacks for buildings of 20 ft. and 4 ft. in lieu of the required 30 ft.; and a rear yard setback of 13-1/2 ft. for a carport in lieu of the required 22-1/2 ft. (75% of the required 30 ft.) pursuant to Section 301.1.A of the BCZR; and to permit a side yard setback of 27 ft. in lieu of the required 30 ft. All of the subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

Appearing at the public hearing held for this case were John Thomas Chalk, the father of James S. Chalk, property owner, and James Sadler, the property line surveyor who prepared the site plan. There were no Protestants or other interested persons present.

An examination of the site plan submitted shows that the subject property is roughly rectangular in shape, zoned M.L.-A.S. The property fronts Pulaski Highway (U.S. Route 40) and vehicular access to the site is by way of two curb cuts from that road. The property is improved with several buildings which have been on the property for many years. More-

ORDER
Date 5/6/97
By M. Hovell

over, the Petitioner proposes construction of an additional building, which would be 100 ft. in width by 50 ft. in depth. The Petition for Variance is filed for this new building and to legitimize the existing setbacks for the structures presently on site.

Among the structures that are already existing is a single story structure 60 ft. by approximately 24 ft. This structure is presently used by a video sales business. Additionally, there exists a one story maintenance building in the center portion of the site which is presently used as a maintenance building by Mr. Chalk. John T. Chalk, the father of James S. Chalk, property owner, testified that he and his son are engaged in the business of renting forklifts and similar construction equipment. They operate this business from the site and utilize the maintenance building for their operation. They also propose constructing a warehouse building on the site. This building will be used to store forklifts rented in their operation and to protect equipment from the weather. As noted above, the proposed building will be 50 x 100 ft. in dimension.

Building to building setback relief is requested within the Petition. Specifically, the existing video store building and existing maintenance building are 28 ft. apart, less than the required 60 ft. Moreover, the proposed warehouse and maintenance buildings will be located 10 ft. apart. These two buildings will both be used by the business operated by Messrs. Chalk.

Rear yard setback relief is also requested. The property has an irregularly configured rear lot line and a 20 ft. setback on the corner of the new building to the rear property line is proposed. Also, the existing maintenance building presently features a 4 ft. setback. Lastly, attached to the rear of the video sales building is a carport which maintains a 13-1/2 ft. setback, in lieu of the required 22-1/2 ft. rear yard

ORDER RECEIVED FOR FILING

Date

By

property line setback. Finally, a side yard setback of 27 ft. is proposed for the new building, in lieu of the required 30 ft.

Testimony and evidence offered was that the setback relief requested, for both proposed and existing structures, is required in order to construct a reasonably sized building and legitimize the existing conditions. It was also noted that the area is commercial/industrial in character and that the use will not be inconsistent with the locale. Moreover, Mr. Chalk indicated that an existing entrance from Pulaski Highway would be widened and improved. He acknowledged that such improvements would be subject to approval from the State Highway Administration.

Zoning Plans Advisory Committee (ZAC) comments acknowledged that any ingress or egress improvements would be subject to the State Highway Administration's standards. Moreover, the Office of Planning and the Development Plans Review Division both requested that additional landscaping be installed. It was noted that, although commercial in appearance, the Pulaski Highway corridor study recommends upgrading properties wherever possible.

Based upon the testimony and evidence offered, all of which is uncontradicted, I am persuaded to grant the Petition for Variance. In my judgment, the Petitioner has satisfied the requirements set forth in Section 307 of the BCZR. However, relief will be conditioned to require the Petitioner to comply with the requirements of the State Highway Administration as they relate to the improvement of the existing entrance. Moreover, I shall adopt the condition recommended by the Office of Planning. Some limited upgrade in landscaping is appropriate. Although it must be recognized that this property is commercial/industrial in use; nonetheless an upgrade of the site is warranted.

ORDER RECEIVED FOR FILING

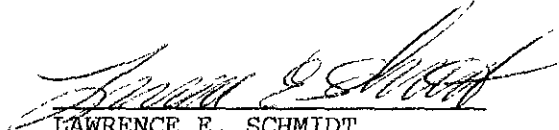
Date

By

5/6/97
M. G. Gorbach

4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LES/mmn


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECORDED FOR PLANS
Date 5/6/97
By Mr. Grant



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

May 6, 1997

Mr. James S. Chalk
Mr. James T. Chalk
8231 Pulaski Highway
Baltimore, Maryland 21237

RE: Case No. 97-398-A
Petition for Zoning Variance
Property: 8231 Pulaski Highway

Gentlemen:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
att.

c: Richard H. Keller, Esquire, 4453 Belair Road, Baltimore, Md. 21206





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at
97-398-A

8231 PULASKI HIGHWAY
which is presently zoned ML-AS

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEE ATTACHED

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

TO BE PRESENTED AT HEARING.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

RICHARD W KELLER
(Type or Print Name)

Signature

4453 BELAIR RD 410-1818
Address Phone No.

BALTIMORE MD. 21206
City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

JAMES S. CHALK
(Type or Print Name)

Signature

(Type or Print Name)

Signature

8231 PULASKI HIGHWAY 686-0800
Address Phone No.

BALTIMORE MD. 21237
City State Zipcode
Name, Address and phone number of representative to be contacted.

ABOVE
Name

Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY: DATE 3-18-97

398



Printed with Soybean Ink
on Recycled Paper



VARIANCES RELIEF

FROM SECTIONS 255.1 & 238.2; BCZR, TO
PERMIT BUILDING TO BUILDING SETBACKS
OF 10' AND 28' IN LIEU OF THE REQUIRED
60';

FROM SECTIONS 255.1 & 238.2; BCZR, TO
PERMIT REAR YARD SETBACKS OF 20' AND
4' IN LIEU OF THE REQUIRED 30' AND A REAR
SETBACK OF 13.5' FOR A CARPORT IN
LIEU OF THE ~~22.5'~~ REQUIRED 22.5'
(75% OF REQUIRED 30' PER SECTION 301.1A; BCZR); AND

FROM SECTIONS 255.1 & 238.2; BCZR, TO PERMIT
A SIDE YARD SETBACK OF 27' IN LIEU
OF THE REQUIRED 30'.

328

W. T. SADLER SURVEYORS

Phone [410] 526-5618

152 Westminister Road

Fax [410] 526-7199

Reisterstown, Maryland 21136

James C. Sadler

DATE: Feb. 24, 1997

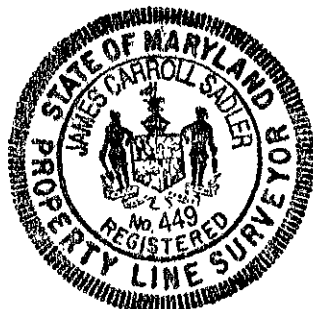
ZONING DESCRIPTION


8231 Pulaski Highway
15th Election District, Baltimore County, Maryland

Beginning for the same at the corner formed by the intersection of the southeast side of Pulaski Highway, 150 feet wide, with the southwest side of Hanzlik Avenue, 30 feet wide, thence the following courses and distances

- 1) south 31 degrees 53 minutes 36 seconds east 157.22 feet along the southwest side of Hanzlik Avenue thence
- 2) south 58 degrees 25 minutes 25 seconds west 96.36 feet
- 3) south 75 degrees 53 minutes 00 seconds west 41.88 feet and
- 4) south 58 degrees 25 minutes 25 seconds west 196.42 feet to the easternmost side of a road 20 feet wide there situate, thence binding along said road
- 5) north 19 degrees 06 minutes 36 seconds west 147.60 feet to intersect the aforementioned southeast side of Pulaski Highway; thence binding along the southeast side of Pulaski Highway
- 6) along a line curving to the left, with a radius of 25,539.79 feet, and a chord which bears north 58 degrees 19 minutes 16 seconds east 300.00 feet, the distance of 300.00 feet to the place of beginning as recorded in Liber 11029 folio 244.

Containing 1.0800 acres of land, more or less.




JAMES C. SADLER
REG. NO. 449

97-398-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

398 No. 020718

97-398-A

DATE 5-18-97 ACCOUNT Recd-6150

AMOUNT \$ 250.00

RECEIVED FROM: JAMES CHALK S231 Pulaski Hwy

UAR. (020)

FOR:

034910001MICHRC \$250.00
DA 0010419AM03-18-97

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
VALIDATION OR SIGNATURE OF CASHIER

JCM

CERTIFICATE OF POSTING

RE: Case No.: 97-398-A

Petitioner/Developer: _____

MR. TOM CHALK

Date of Hearing/Closing: 4-22-97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at 8231 PULASKI HIGHWAY

The sign(s) were posted on APRIL 7TH 1997
(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

(Address)

BALTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)

ZONING NOTICE

Case #: 97-398-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

PLACE: 401 BOSLEY AVE. 4TH FLOOR
TIME & DATE: APRIL 22 1997 11:00AM
REQUEST: VARIANCE TO BUILDING HEIGHTS
PERMIT BUILDING TO BUILDING HEIGHTS
OF 10 AND 28 IN LIEU OF THE REQUIRED
60' REAR YARD SETBACKS OF 20 AND
15' SETBACK FOR A CARPORT IN
LIEU OF THE REQUIRED 27' 5"
LIEU OF THE REQUIRED 27' 5"
AND A SIDEYARD SETBACK OF 27'
IN LIEU OF THE REQUIRED 30'

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 97-398-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: ~~VARIANCE~~ PETITION FOR VARIANCE TO PERMIT
BUILDING TO BUILDING SETBACKS OF 10' AND 28'
IN LIEU OF THE REQUIRED 60'; REARYARD SETBACKS
OF 20' AND 4' IN LIEU OF THE REQUIRED 30'; AND A
13.5' SETBACK FOR A CARPORT IN LIEU OF THE REQUIRED 22.5'
AND A SIDEYARD SETBACK OF 27' IN LIEU OF THE REQUIRED 30'.
POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.

TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 28, 1997

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-398-A
8231 Pulaski Highway
NWC intersection of Pulaski Highway and Hanzlik Avenue
15th Election District - 7th Councilmanic
Legal Owner(s): James S. Chalk

Variance to permit building to building setbacks of 10 feet and 28 feet in lieu of the required 60 feet; to permit a rear yard setback of 20 feet and 4 feet in lieu of the required 30 feet and a rear yard setback of 13.5 feet for a carport in lieu of the required 22.5 feet (75% of required 30 feet); and to permit a side yard setback of 27 feet in lieu of required 30 feet.

HEARING: TUESDAY, APRIL 22, 1997 at 11:00 a.m., 4th floor Courts Building, 401 Bosley Avenue.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: James S. Chalk
Richard H. Keller, Esq.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY APRIL 7, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



TO: PUTUXENT PUBLISHING COMPANY
April 4, 1997 Issue - Jeffersonian

Please forward billing to:

Richard H. Keller, Esq.
4453 Belair Road
Baltimore, MD 21206
485-1818

NOTICE OF HEARING

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HEARING: TUESDAY, APRIL 22, 1997 at 11:00 a.m., 4th floor Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 18, 1997

Richard H. Keller, Esquire
4453 Belair Road
Baltimore, MD 21206

RE: Item No.: 398
Case No.: 97-398-A
Petitioner: James S. Chalk

Dear Mr. Keller:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on March 18, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

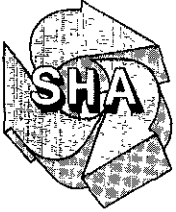
Sincerely,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over a circular stamp that contains the same name in a serif font.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

April 2, 1997

Ms Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building
Room 109
Towson MD 21204

RE: Baltimore County
Item No. 398
8231 Pulaski Highway
US 40
Mile Post 15.67

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval of the variance,

However, we will require the owner to obtain an access permit through this office.

Entrance construction shall be subject to the terms and conditions of an access permit issued by this office, with the following submittals required:

- a. Nine (9) copies of the site plan showing the SHA requirements.
- b. Completed application.
- c. Performance bond, letter of credit, or certified check (**include Federal ID number or social security number on certified checks only**) in the amount of 150% of the actual entrance construction cost and in an even thousand dollar increment. These must be made payable to the State of Maryland (**Please note that it takes 6-8 weeks for a certified check to be returned after project completion and SHA final inspection**).
- c. An engineering fee check in the amount of \$50.00 for each point of access, made payable to the State of Maryland.
- e. A letter of authorization from the appropriate agency relative to the relocation of any utilities which may be necessitated by this construction; or a letter from the developer acknowledging and agreeing to the financial responsibility for relocating any affected utilities, provided the cost for the utility relocation is included in the surety submitted for the permit.

My telephone number is 410-545-5600 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and Development Management

DATE: April 4, 1997

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 8231 Pulaski Highway

INFORMATION:

Item Number: 398
Petitioner: Chalk Property
Property Size:
Zoning: ML-AS
Requested Action: Variance
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

This site is located within the area of the Pulaski Highway Corridor Study, and this study recommends upgrading properties wherever possible.

The subject variances will not impact other properties significantly; however, the portion of the property along Pulaski Highway should be landscaped and that treatment should be extended around the corner and along Hanzlik Avenue in order to achieve the goals of the Pulaski Highway Corridor Study.

Prepared by:

Jeff W. Ly

Division Chief:

Carol L. Kerns

AFK/JL

B A L T I M O R E C O U N T Y, M A R Y L A N D

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: April 7, 1997

FROM: Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for April 7, 1997
 Item No. 398

The Development Plans Review Division has reviewed the subject zoning item.

The entire site is subject to the Baltimore County Landscape Manual. Modification to the 10 foot wide landscape strip requirement along the Pulaski Highway right-of-way and the 7 percent interior landscape requirement for the parking lot is necessary to support the subject layout. A schematic landscape plan must be submitted.

All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the Standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

RWB:HJO:cab

cc: File

ZONE407.398

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 3/23/97

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: March 31, 97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

396	404
397	405
398	406
401	408
402	
403	

RBS:sp

BRUCE2/DEPRM/TXTSBP

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 10/07/96

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: James S. Chalk

Location: DISTRIBUTION MEETING OF April 17, 1997

Item No.: 398

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File




Ms. Roslyn Eubanks
Page Two
April 2, 1997

The surety for entrance construction must be received by this office prior to our approving any building permits for this development.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.
Thank you for the opportunity to review this item.

Very truly yours,


by Ronald Burns, Chief
Engineering Access Permits
Division

LG/eu

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 6th day of May, 1997 that a variance from Sections 255.1 and 238.2 of the Baltimore County Zoning Regulations (BCZR) to permit building to building setbacks of 10 ft. and 28 ft. in lieu of the required 60 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 301.1.A of the BCZR to permit rear yard setbacks for buildings of 20 ft. and 4 ft., in lieu of the required 30 ft. and a rear yard setback of 13-1/2 ft. for a carport in lieu of the required 22-1/2 ft. (75% of the required 30 ft.) be and is hereby GRANTED; and,

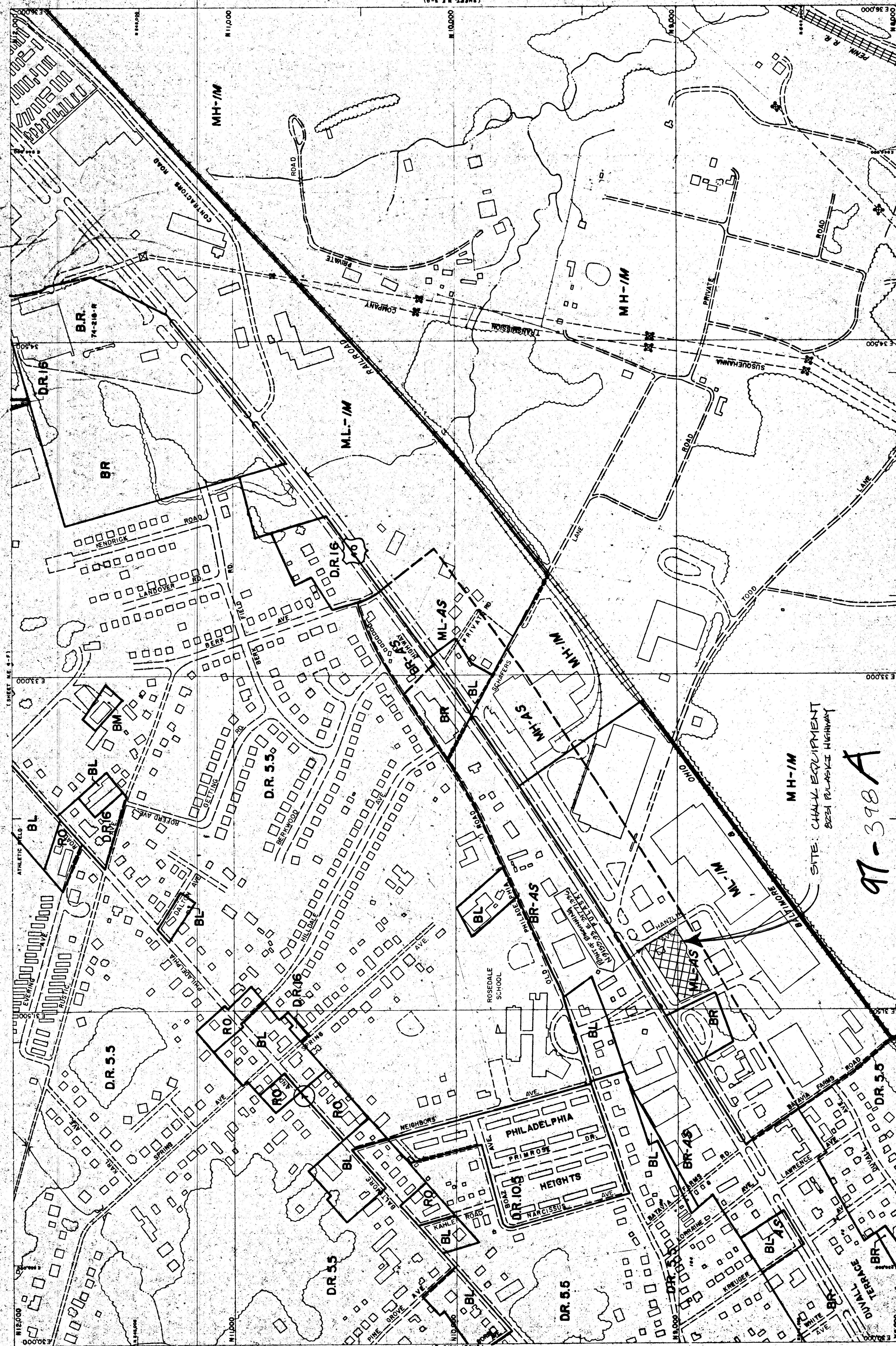
IT IS FURTHER ORDERED that a variance to permit a side yard setback of 27 ft., in lieu of the required 30 ft, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Compliance with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZAC), namely, the State Highway Administration dated April 2, 1997 are adopted in their entirety and made a part of this Order.
3. The Petitioner shall provide a landscape plan to the Office of Planning for approval by the Baltimore County Landscape Planner. The approved landscape plan shall become a permanent part of the record and file in this matter.

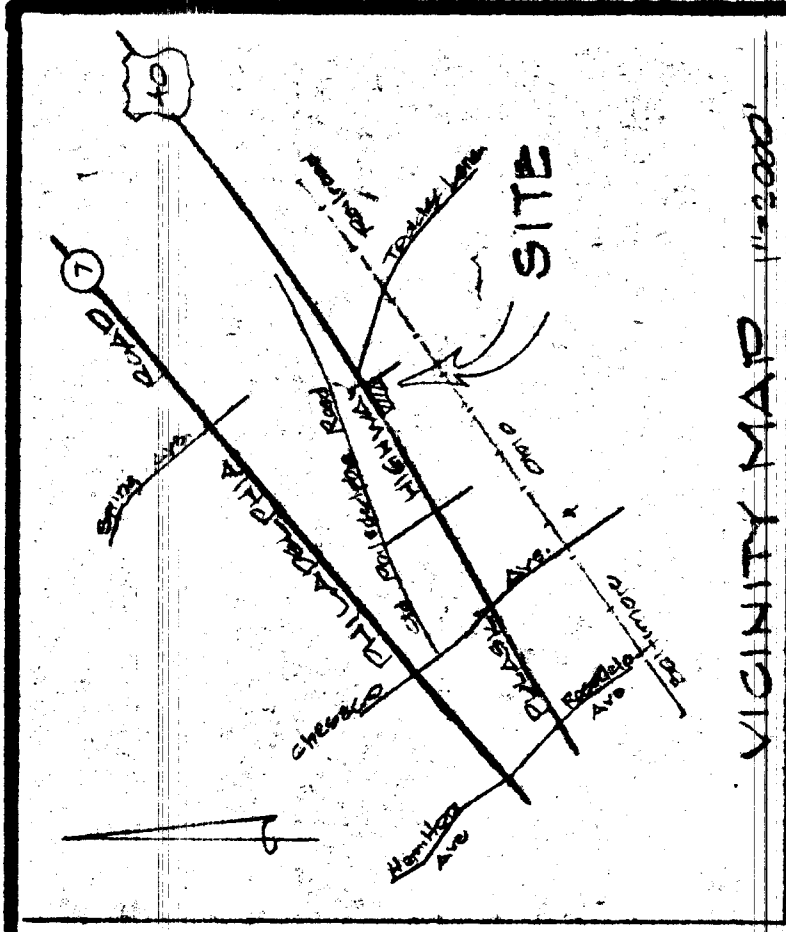
ORDER RECEIVED FOR FILING

Date

By



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING		LOCATION ROSEDALE	SCALE 1" = 200' ±	DATE OF PHOTOGRAPHY JANUARY 1986
1984 COMPREHENSIVE ZONING MAP ADOPTED BY THE BALTIMORE COUNTY COUNCIL OCTOBER 8, 1984 BID. Nos. 129-84, 130-84, 131-84, 132-84, 133-84, 134-84, 135-84		97-398A SITE: CHALK EQUIPMENT 8221 BALASKI HIGHWAY		
THIS MAP HAS BEEN REVISED IN SELECTED AREAS. TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS BY BUCHART-HORN, INC. BALTIMORE, MD. 21210		KEVIN KANANEY Chairman, County Council		



PARKING TABULATION

- PARKING REQUIREMENTS
140 VIDEO SALES - 3,000 1000 ft²
FLOOR AREA - 1410 ft²
PARKING REQUIRED - 700 SPACES
- CHALK EQUIPMENT - 1 PER EACH EMPLOYEE
TOTAL EMPLOYEES - 8
PARKING REQUIRED - 8 SPACES
- TOTAL PARKING SPACES REQUIRED - 160 SPACES
- TOTAL EXISTING PARKING SPACES - 115 SPACES
- PAVING TYPE - MACADAM
- TYPICAL SPACE SIZE (MIN) 3.5 X 15

FLOOR AREA RATIO CALCULATION

TOTAL FLOOR AREA
140 VIDEO - 1410 ft²
Chalk Equip. - 1200 ft²
Proposed 1913 ft²

TOTAL GROSS SITE AREA - 58,400 ft²

TOTAL FLOOR AREA = $\frac{3516}{58,400} = 0.124$ (20 MAX)

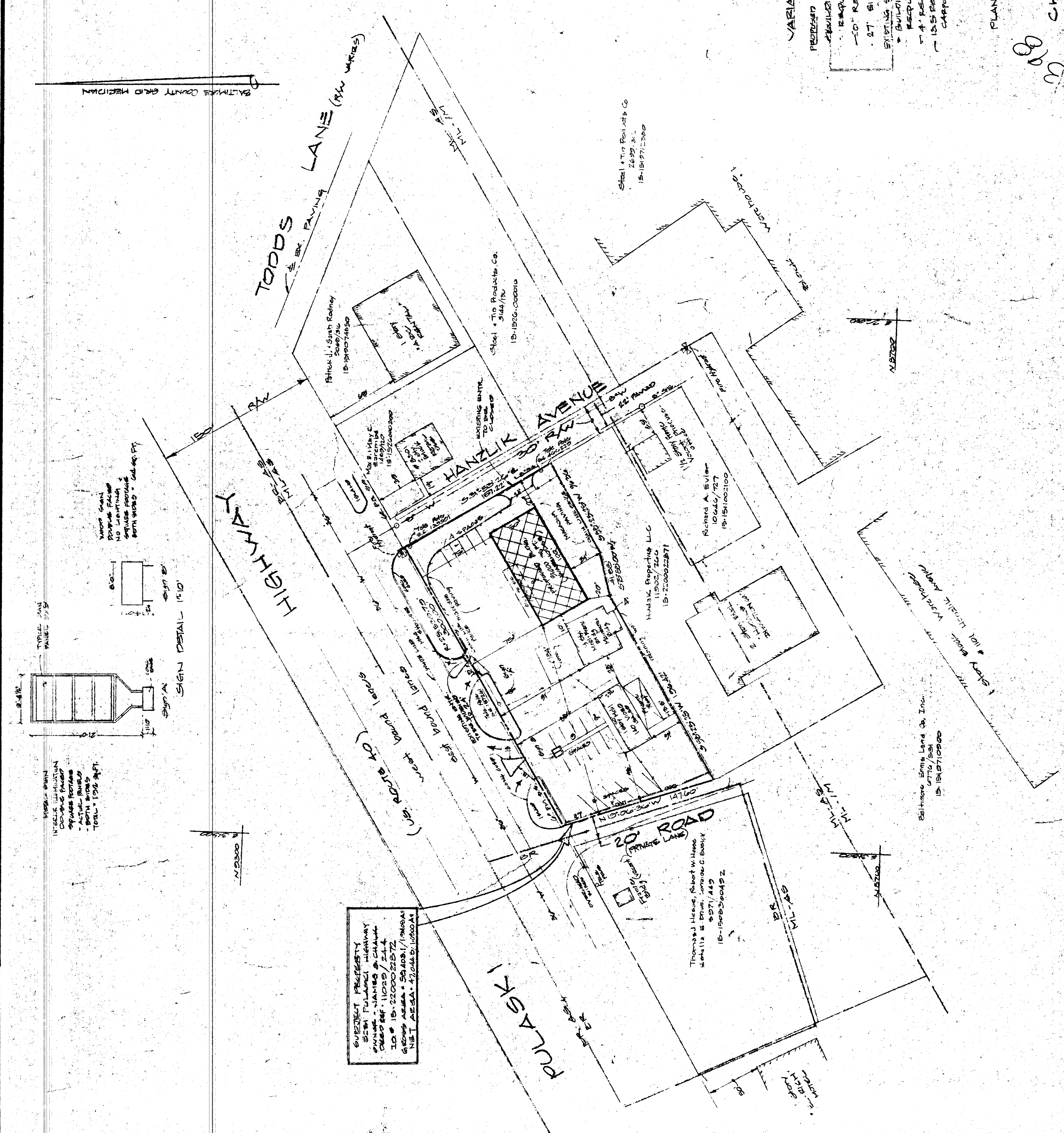
GROSS SITE AREA

SURVEYOR'S CERTIFICATE:
I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS BASED ON A FIELD RUN SURVEY AND THAT THE LOCATION OF THE IMPROVEMENTS ARE LOCATED AS SHOWN.

JAMES C. SADLER REG. NO. 442



W.T. SADLER SURVEYORS
152 WESTMINSTER PIKE
REISTERSTOWN, MARYLAND 21120
(410) 526-5613



GENERAL NOTES

- EXISTING ZONING ML-AS
- ZONING MAP NO. NE 3F
- ACT. 7 PER 1000 SFT. (FLOOR AREA)
7 X 8.216 SFT. = 57.531 A.D.T.
- PREVIOUS COMMERCIAL PERMIT
B-B 302389 FOR ENTIRENESS TO STATE
HIGHWAY ISSUED NOV. 11, 1993
- DIRECT LIMITED EXEMPTION UNDER
SECTION 26-171 (3)(b)
DEC. NO. 02155 P. DIST. 15 CT 2/10/98
- THIS PROPERTY IS NOT IN THE CHESAPEAKE
BAY CRITICAL AREA

07-398-A

VARIANCES

- PERMITTED BY:
- BUILDING TO BUILDING SETBACK 12' IN REAR YARD
 - REAR YARD IN LIEU OF REQUIRED 20' REAR YARD
 - 27' SIDE YARD IN LIEU OF REQUIRED 30' SIDE YARD
 - BUILDING TO BUILDING SETBACK 25' IN LIEU OF REQUIRED 30'
 - REAR YARD IN LIEU OF REQUIRED 20' REAR YARD
 - 13.5' REAR YARD IN LIEU OF 22.5' (75%) REAR YARD / CARPORT

PLAN TO ACCOMPANY APPLICATION FOR VARIANCE

CHALK EQUIPMENT
8221 PULASKI HIGHWAY
15th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

DATE	FEB 20, 1997
REV.	REV.
SCALE	1" = 50'
DATE	MAY 12, 1997
REV.	REV.
DATE	MAY 23, 97
REV.	REV.

OWNER / DEVELOPER:
JAMES S. CHALK
8221 PULASKI HIGHWAY
BALTIMORE, MD. 21257 (410) 656-0000

PARKING TABULATION

- PARKING REQUIREMENTS
140 VIDEO SALES - 8200 1000' FLOOR AREA - 1416 #
PARKING REQUIRED - 700 SPACES
- CHALK EQUIPMENT - 1 PER EACH EMPLOYEE
TOTAL EMPLOYEES - 8
PARKING REQUIRED - 8 SPACES
- TOTAL PARKING SPACES EQUIPMENT - 8 SPACES
- TOTAL EXISTING PARKING SPACES - 10 SPACES
- PARKING TYPE - VACUUM
- TYPICAL SPACE SIZE (MIN) 8.5 X 15'

FLOOR AREA RATIO CALCULATION

- TOTAL FLOOR AREA
- 140 VIDEO - 1416 #
- Warehouse Bldg - 1900 #
- Ramped Bldg - 5000 #
- TOTAL GROSS SITE AREA - 2848310 #
- TOTAL FLOOR AREA - 8316 #
GROSS SITE AREA - 2848310 #
GROSS SITE AREA - 0.142 (30 MAX)

SURVEYOR'S CERTIFICATE:
I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS BASED ON A FIELD RUN SURVEY AND THAT THE LOCATION OF THE IMPROVEMENTS ARE LOCATED AS SHOWN.

JAMES C. SADDLER REG. NO. 449

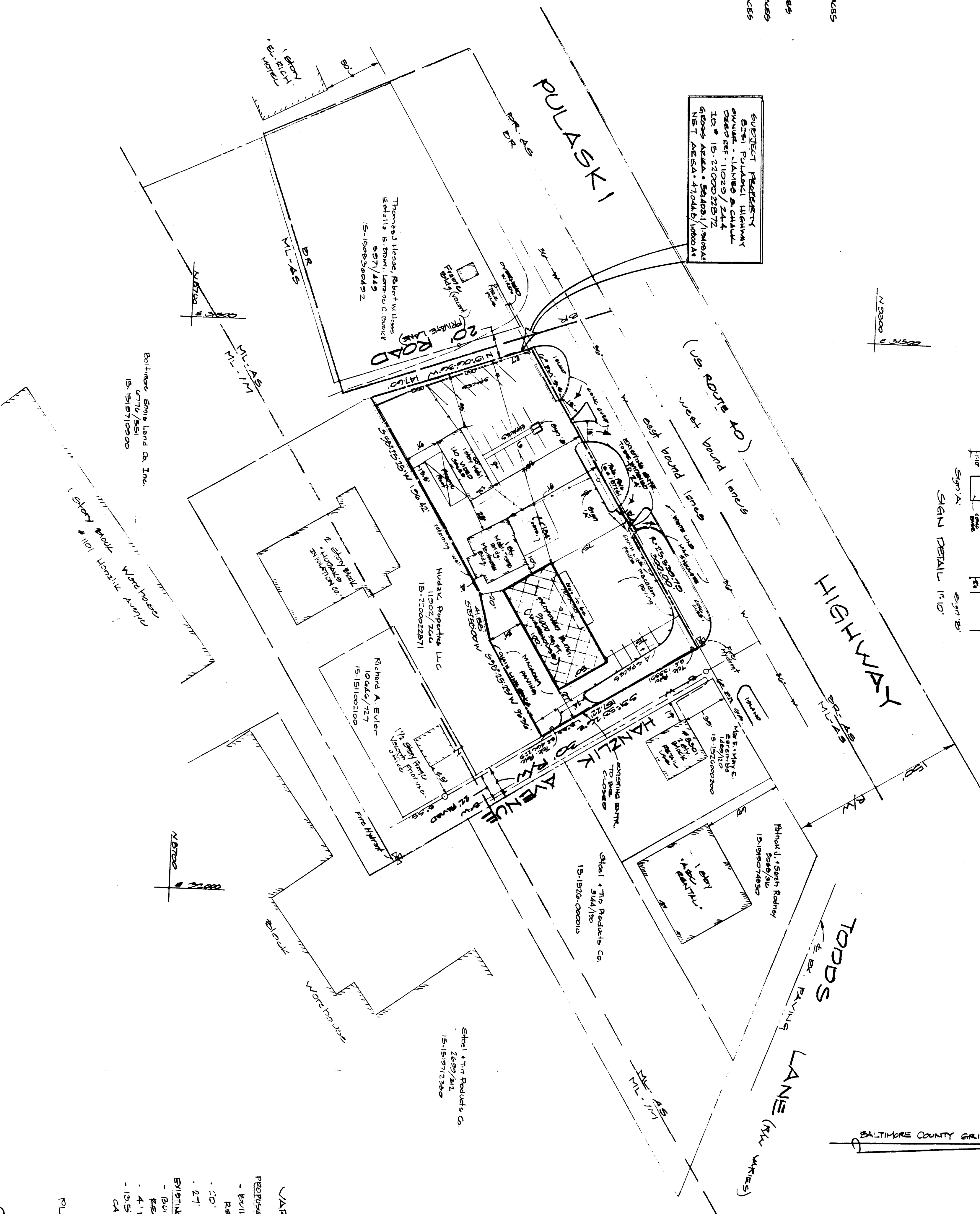


W.T. SADDLER SURVEYORS

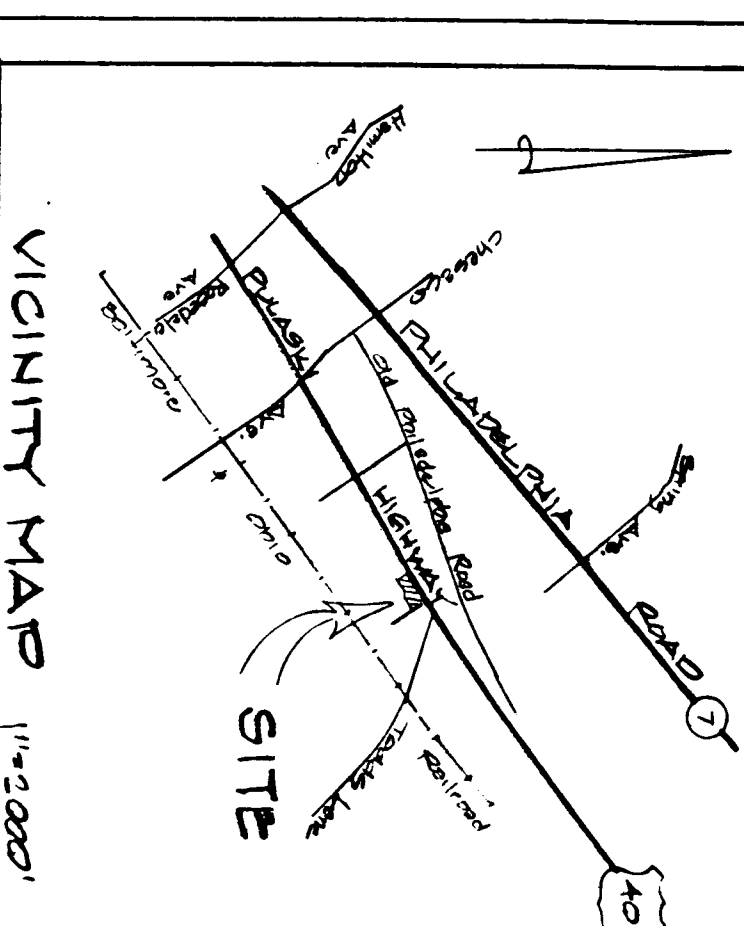
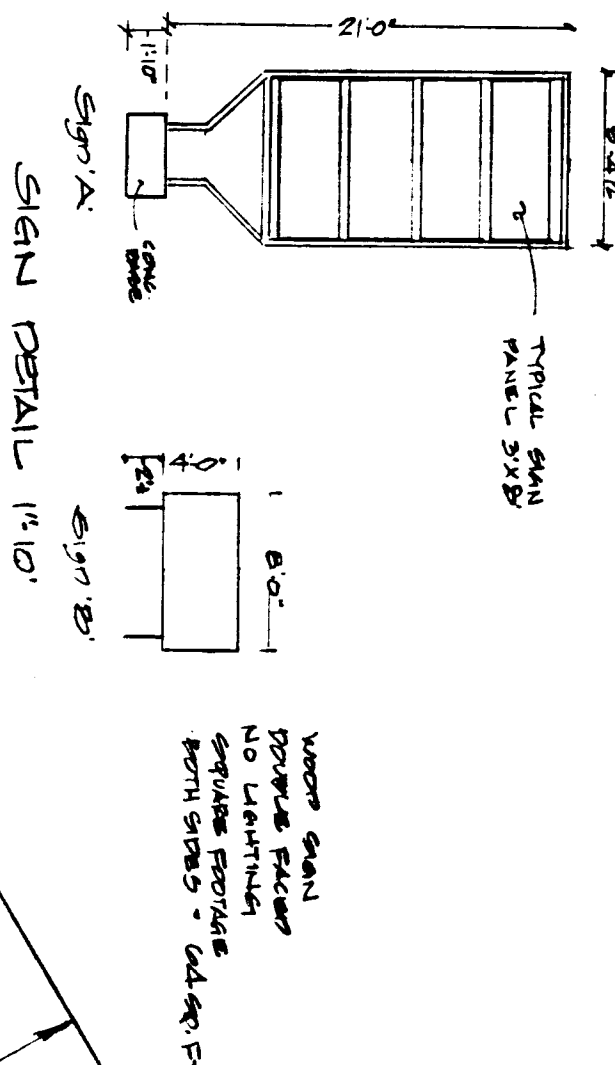
152 WESTMINSTER PIKE

REISTERSTOWN, MARYLAND 21156

(410) 820-5610



UNDER STAIRS
INTERIOR LIGHTING
CLOSET FLOOR
APPLIES PERIODS
- ACTUAL FLOOR
- ACTUAL STAIRS
- ACTUAL STAIRS
TOTAL = 192 sq. ft.



GENERAL NOTES

- EXISTING ZONING M.L.A.S
- ZONING MAP NO. NE 3F
- A.D.T. 7 PER 1000 SQ. FT. FLOOR AREA
- 7 X 8.516 SQ. FT. = 59.21 A.D.T.
- PREVIOUS COMMERCIAL PERMIT
- 15-03 3062585 FOR ENTRANCES TO STATE HIGHWAY 15000 NOV. 14, 1995
- P.R.C. LIMITED EXEMPTION UNDER SECTION 26-171 (3) (b)
- REC. NO. 02155 P. DIST. 1507 2/14/95.
- THE PROPERTY IS NOT IN THE CHURCHES FOR CRITICAL AREA

VARIANCES

- PERMITTED BY:
- BUILDING TO BUILDING SETBACK 10' IN LIEU OF REQUIRED 20'
- 50' REAR YARD IN LIEU OF REQUIRED 20' REAR YARD
- 27' SIDE YARD IN LIEU OF REQUIRED 20' SIDE YARD
- BUILDING TO BUILDING SETBACK 25' IN LIEU OF REQUIRED 30'
- 4' REAR YARD IN LIEU OF REQUIRED 30' REAR YARD
- 105' REAR YARD IN LIEU OF 225' (75%) PER FOR PORT/CAFE/REST

PLAN TO ACCOMPANY APPLICATION FOR VARIANCE

CHALK EQUIPMENT

8201 PULASKI HIGHWAY
15th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
#398

OWNER / DEVELOPER

JAMES B. CHALK
8201 PULASKI HIGHWAY
BALTIMORE, MD. 21257 (410) 680-0600

DATE	FEB 20, 1997
REV.	MAR. 12, 1997
REV.	
SCALE	1" = 50'
WTS. sheet	W010-07
REV.	

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
NWC Intersection of Pulaski Highway & Hanzlik Avenue * ZONING COMMISSIONER
8231 Pulaski Highway *
15th Election District * OF BALTIMORE COUNTY
7th Councilmanic District *
James S. Chalk * Case No. 97-398-A
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 8231 Pulaski Highway in eastern Baltimore County. The Petition was filed by James S. Chalk, property owner. Variance relief is requested from Sections 255.1 and 238.2 of the Baltimore County Zoning Regulations (BCZR) to permit building setbacks of 10 ft. and 28 ft. in lieu of the required 60 ft.; to permit rear yard setbacks for buildings of 20 ft. and 4 ft. in lieu of the required 30 ft.; and a rear yard setback of 13-1/2 ft. for a carport in lieu of the required 22-1/2 ft. (75% of the required 30 ft.) pursuant to Section 301.1.A of the BCZR; and to permit a side yard setback of 27 ft. in lieu of the required 30 ft. All of the subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

Appearing at the public hearing held for this case were John Thomas Chalk, the father of James S. Chalk, property owner, and James Sadler, the property line surveyor who prepared the site plan. There were no Protestants or other interested persons present.

An examination of the site plan submitted shows that the subject property is roughly rectangular in shape, zoned M.L.-A.S. The property fronts Pulaski Highway (U.S. Route 40) and vehicular access to the site is by way of two curb cuts from that road. The property is improved with several buildings which have been on the property for many years. More-

over, the Petitioner proposes construction of an additional building, which would be 100 ft. in width by 50 ft. in depth. The Petition for Variance is filed for this new building and to legitimize the existing setbacks for the structures presently on site.

Among the structures that are already existing is a single story structure 60 ft. by approximately 24 ft. This structure is presently used by a video sales business. Additionally, there exists a one story maintenance building in the center portion of the site which is presently used as a maintenance building by Mr. Chalk. John T. Chalk, the father of James S. Chalk, property owner, testified that he and his son are engaged in the business of renting forklifts and similar construction equipment. They operate this business from the site and utilize the maintenance building for their operation. They also propose constructing a warehouse building on the site. This building will be used to store forklifts rented in their operation and to protect equipment from the weather. As noted above, the proposed building will be 50 x 100 ft. in dimension.

Building to building setback relief is requested within the Petition. Specifically, the existing video store building and existing maintenance building are 28 ft. apart, less than the required 60 ft. Moreover, the proposed warehouse and maintenance buildings will be located 10 ft. apart. These two buildings will both be used by the business operated by Messrs. Chalk.

Rear yard setback relief is also requested. The property has an irregularly configured rear lot line and a 20 ft. setback on the corner of the new building to the rear property line is proposed. Also, the existing maintenance building presently features a 4 ft. setback. Lastly, attached to the rear of the video sales building is a carport which maintains a 13-1/2 ft. setback, in lieu of the required 22-1/2 ft. rear yard

property line setback. Finally, a side yard setback of 27 ft. is proposed for the new building, in lieu of the required 30 ft.

Testimony and evidence offered was that the setback relief requested, for both proposed and existing structures, is required in order to construct a reasonably sized building and legitimize the existing conditions. It was also noted that the area is commercial/industrial in character and that the use will not be inconsistent with the locale. Moreover, Mr. Chalk indicated that an existing entrance from Pulaski Highway would be widened and improved. He acknowledged that such improvements would be subject to approval from the State Highway Administration.

Zoning Plans Advisory Committee (ZAC) comments acknowledged that any ingress or egress improvements would be subject to the State Highway Administration's standards. Moreover, the Office of Planning and the Development Plans Review Division both requested that additional landscaping be installed. It was noted that, although commercial in appearance, the Pulaski Highway corridor study recommends upgrading properties wherever possible.

Based upon the testimony and evidence offered, all of which is uncontradicted, I am persuaded to grant the Petition for Variance. In my judgment, the Petitioner has satisfied the requirements set forth in Section 307 of the BCZR. However, relief will be conditioned to require the Petitioner to comply with the requirements of the State Highway Administration as they relate to the improvement of the existing entrance. Moreover, I shall adopt the condition recommended by the Office of Planning. Some limited upgrade in landscaping is appropriate. Although it must be recognized that this property is commercial/industrial in use; nonetheless an upgrade of the site is warranted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 6th day of May, 1997 that a variance from Sections 255.1 and 238.2 of the Baltimore County Zoning Regulations (BCZR) to permit building to building setbacks of 10 ft. and 28 ft. in lieu of the required 60 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 301.1.A of the BCZR to permit rear yard setbacks for buildings of 20 ft. and 4 ft., in lieu of the required 30 ft. and a rear yard setback of 13-1/2 ft. for a carport in lieu of the required 22-1/2 ft. (75% of the required 30 ft.) be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance to permit a side yard setback of 27 ft., in lieu of the required 30 ft. be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Compliance with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZAC), namely, the State Highway Administration dated April 2, 1997 are adopted in their entirety and made a part of this Order.
3. The Petitioner shall provide a landscape plan to the Office of Planning for approval by the Baltimore County Landscape Planner. The approved landscape plan shall become a permanent part of the record and file in this matter.

4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Lawrence E. Schmidt
Zoning Commissioner
for Baltimore County



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

May 6, 1997

Mr. James S. Chalk
Mr. James T. Chalk
8231 Pulaski Highway
Baltimore, Maryland 21237

RE: Case No. 97-398-A
Petition for Zoning Variance
Property: 8231 Pulaski Highway

Gentlemen:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
att:
c: Richard H. Keller, Esquire, 4453 Belair Road, Baltimore, Md. 21206



Petition for Variance
to the Zoning Commissioner of Baltimore County

for the property located at 8231 Pulaski Highway
which is presently zoned M.L.A.S.

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEE ATTACHED

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

TO BE PRESENT AT HEARING.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City State Zipcode

On file do hereby declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

City State Zipcode

Phone No.

Name, Address and phone number of representative to be contacted.

Name

Address

City State Zipcode

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

the following date: _____

ALL OTHER: _____

REVIEWED BY: _____ DATE: 3-18-97

398

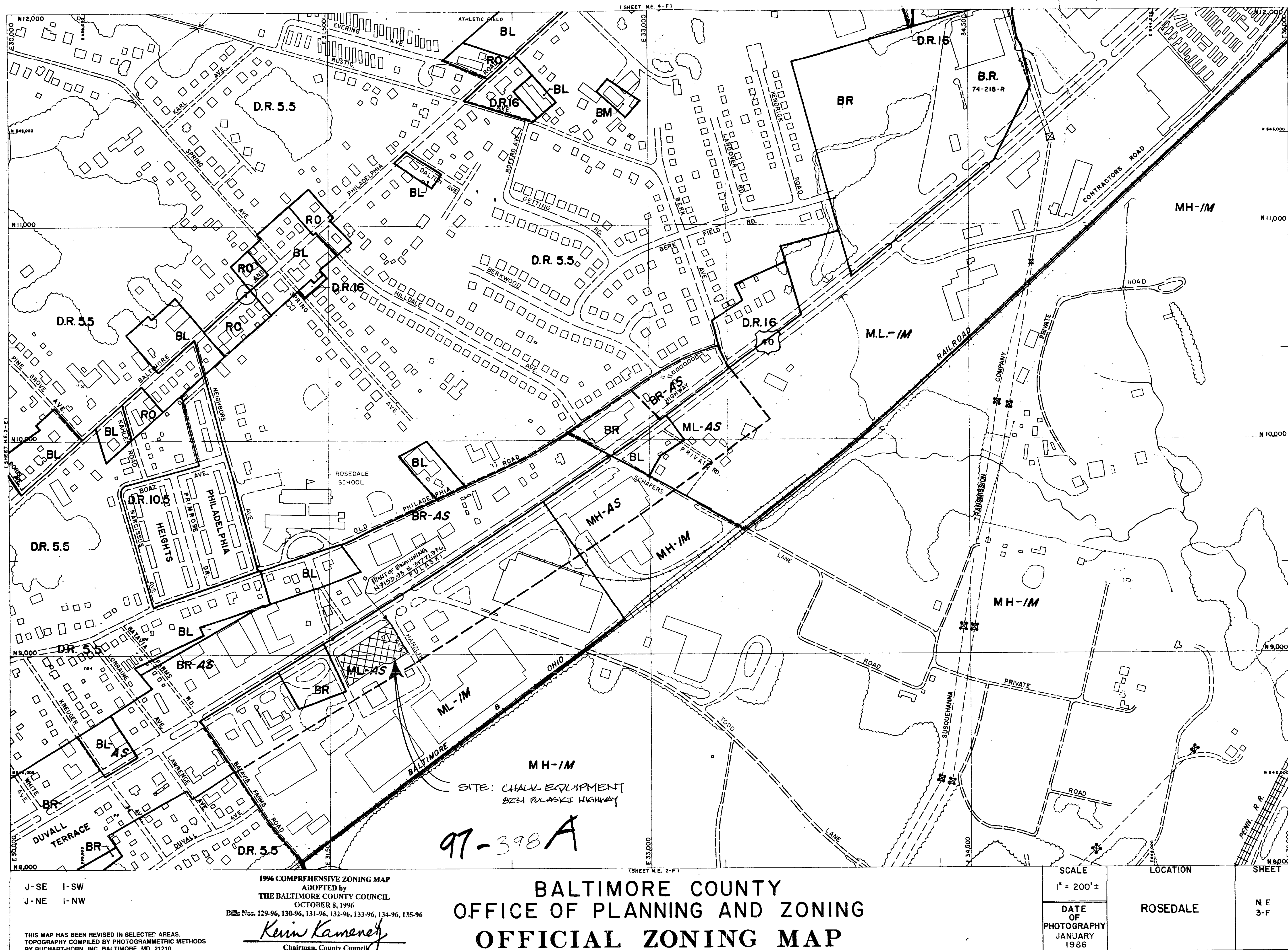
VARIANCES RELIEF

FROM SECTIONS 255.1 & 238.2; BCZR, TO PERMIT BUILDING TO BUILDING SETBACKS OF 10' AND 28' IN LIEU OF THE REQUIRED 60';

FROM SECTIONS 255.1 & 238.2; BCZR, TO PERMIT REAR YARD SETBACKS OF 20' AND 4' IN LIEU OF THE REQUIRED 30' AND A REAR YARD SETBACK OF 13.5' FOR A CARPORT IN LIEU OF THE 22.5' REQUIRED 22.5' (75% of REQUIRED 30' PER SECTION 301.1A; BCZR); and

FROM SECTIONS 255.1 & 238.2; BCZR, TO PERMIT A SIDE YARD SETBACK OF 27' IN LIEU OF THE REQUIRED 30'.

398



PARKING TABULATION

- PARKING REQUIREMENTS	
140 VIDEO SALES	5 PER 1000 ⁺
FLOOR AREA = 1416 ⁺	
PARKING REQUIRED	700 SPACES
CHALK EQUIPMENT	
1 PER EACH EMPLOYEE	
TOTAL EMPLOYEES = 8	
PARKING REQUIRED	8 SPACES
TOTAL PARKING SPACES REQUIRED	110 SPACES
TOTAL EXISTING PARKING SPACES	10 SPACES

- PAVING TYPE - MACADAM
- TYPICAL SPACE SIZE (MIN.) 8.5' X 15'

FLOOR AREA RATIO CALCULATION

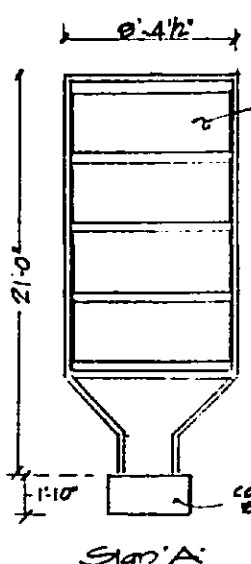
TOTAL FLOOR AREA

- 140 VIDEO --- 1416⁺
- Maintenance Bldg --- 1900⁺
- Proposed Bldg. --- 5000⁺

TOTAL GROSS SITE AREA = 5840310⁺

TOTAL FLOOR AREA = $\frac{8316}{5840310} = 0.1424$ (30 MAX)
GROSS SITE AREA

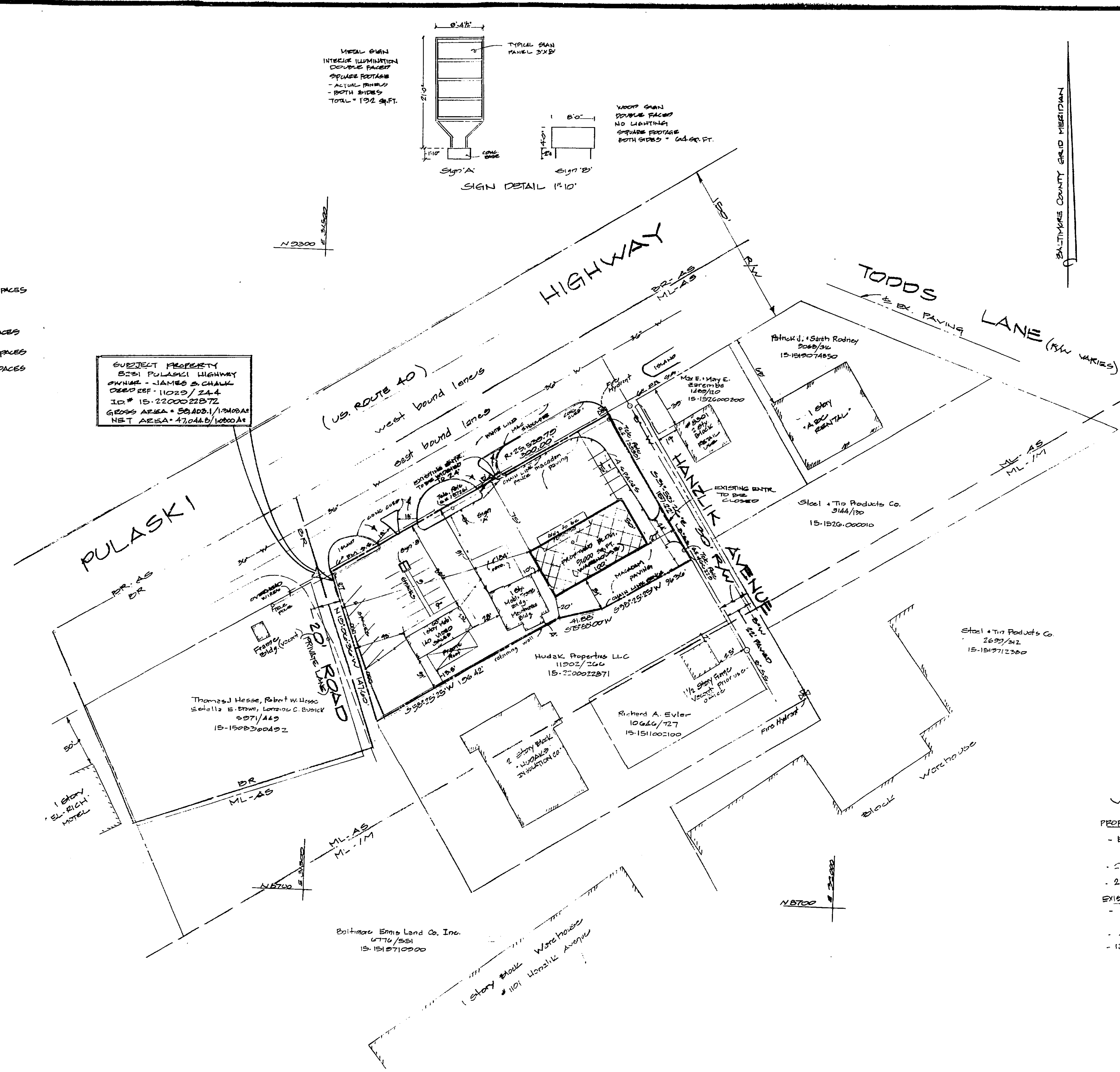
METAL SIGN
INTERIOR ILLUMINATION
CONCRETE BASE
SQUARE FOOTAGE
- ACTUAL DIMENSIONS
- BOTH SIDES
TOTAL = 132 SQ. FT.



WOOD SIGN
DOUBLE FACED
NO LIGHTING
SQUARE FOOTAGE
BOTH SIDES = 64 SQ. FT.

SIGN DETAIL 1'X10"

SUBJECT PROPERTY
8231 PULASKI HIGHWAY
OWNER - JAMES B. CHALK
DEED REF. 11052/244
ID # 15-2200022572
GROSS AREA = 5840310⁺
NET AREA = 470445/10000⁺



GENERAL NOTES

- EXISTING ZONING ML-AS
- ZONING MAP NO. NE 3F
- A.D.T. 7 PER 1000 SQ. FT. FLOOR AREA
7 X 8.316 SQ. FT. = 58.21 A.D.T.
- PREVIOUS COMMERCIAL PERMIT
B-B 362380 FOR ENTRANCES TO STATE
HIGHWAY ISSUED NOV. 14, 1989
- D.R.C. LIMITED EXEMPTION UNDER
SECTION 26-171 (b) (5)
D.R.C. NO. 02135 F DIST. 15 CT 2/16/95
- THE PROPERTY IS NOT IN THE OVERSIGHT
FYI CRITICAL AREA

VARIANCES

PROPOSED BLDG.

- BUILDING TO BUILDING SETBACK 10' IN LIEU OF
REQUIRED 60'
- 20' REAR YARD IN LIEU OF REQUIRED 20' REAR YARD
- 27' SIDE YARD IN LIEU OF REQUIRED 20' SIDE YARD

EXISTING SITE

- BUILDING TO BUILDING SETBACK 25' IN LIEU OF
REQUIRED 60'
- 4' REAR YARD IN LIEU OF REQUIRED 20' REAR YARD
- 13.5' SIDE YARD IN LIEU OF 22.5' (TEX) REQ FOR ROFF/
GARPORT

PLAN TO ACCOMPANY APPLICATION FOR
VARIANCE

CHALK EQUIPMENT

8231 PULASKI HIGHWAY
7TH COUNTY COUNCIL DISTRICT 15TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND #398

OWNER / DEVELOPER
JAMES B. CHALK
8231 PULASKI HIGHWAY
BALTIMORE, MD. 21257 (410) 686-6400

DATE FEB 20, 1997	REV.
DATE MAR. 12, 1997	REV.
SCALE 1" = 50'	REV.
WTS. 1000 11210-97	REV.

SURVEYORS CERTIFICATE

I, HEREBY CERTIFY THAT THE INFORMATION SHOWN
HEREON IS BASED ON A FIELD BOUND SURVEY AND THAT
THE LOCATION OF THE IMPROVEMENTS ARE LOCATED AS
SHOWN.

JAMES C. SADLER REG. NO. 442



W.T. SADLER SURVEYORS

152 WESTMINSTER PIKE
REISTERSTOWN, MARYLAND 21156
(410) 826-5610

PARKING TABULATION

- PARKING REQUIREMENTS

100 VEH. SALES - 5 PLS 10000
 FLOOR AREA - 14150
 PARKING REQUIRED - 700 SPACES

CHALK EQUIPMENT - 1 PER EACH EMPLOYEE
 TOTAL EMPLOYEES - 5
 PARKING REQUIRED - 5 SPACES

TOTAL PARKING SPACES REQUIRED - 110 SPACES

TOTAL EXISTING PARKING SPACES - 113 SPACES

- PARKING TYPE - MACADAM
 - TYPICAL SPACE SIZE (MIN.) 5.5' x 15'

FLOOR AREA RATIO CALCULATION

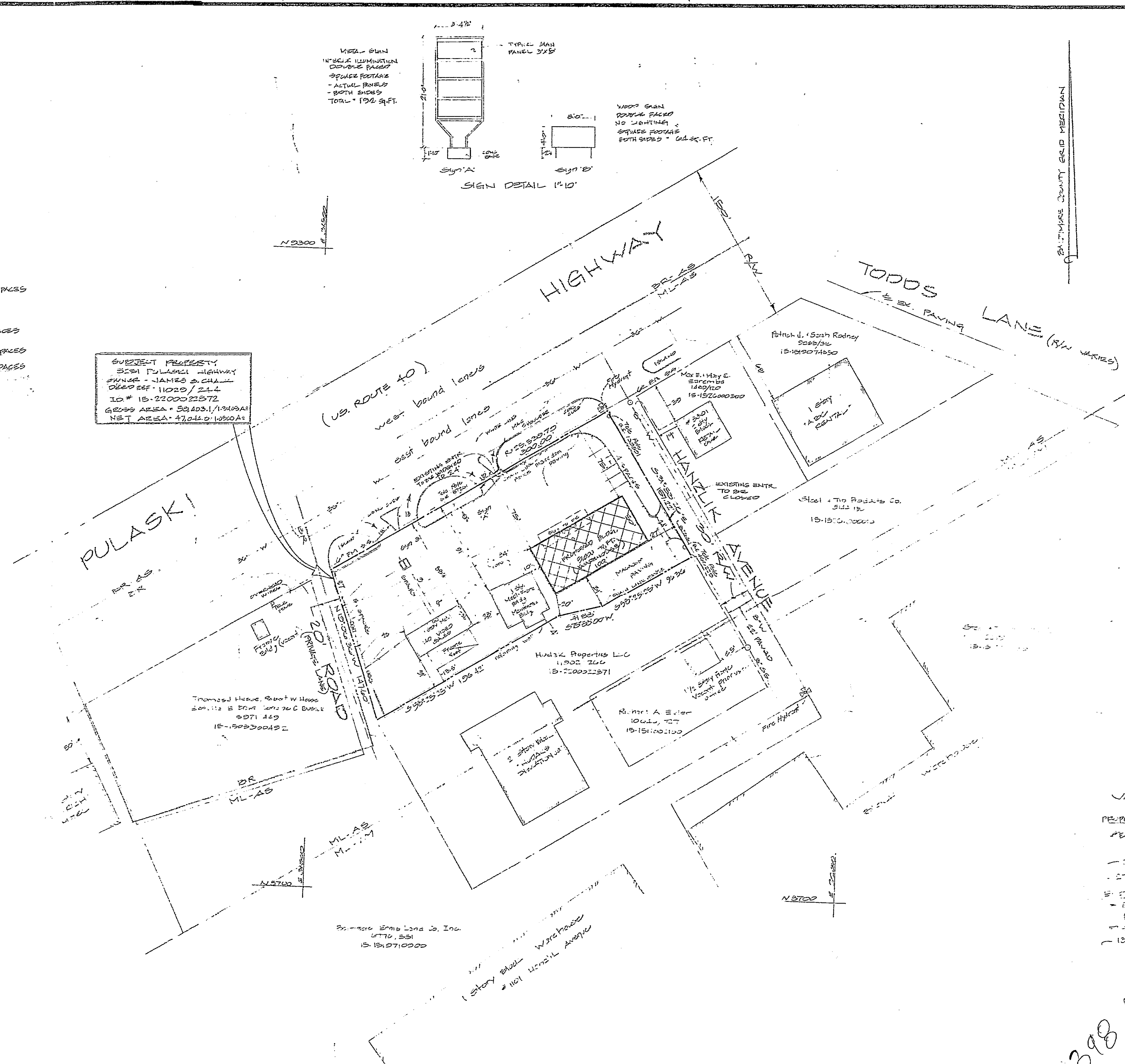
TOTAL FLOOR AREA

100 VEH. SALES - 10000
 CHALK EQUIP. - 10000
 FLOOR AREA - 10000

TOTAL GROSS SITE AREA - 524000

TOTAL FLOOR AREA = 10000
 GROSS SITE AREA = 524000 = 0.0192 (30 MAX.)

SUBJECT PROPERTY
 5231 PULASKI HIGHWAY
 PHASE - JAMES S. CHAL
 DISTRICT - 11020 / 244
 10 # 15-22000-22372
 GROSS AREA - 52403.1 / 13403.1
 NET AREA - 47010.0 / 10200.0



GENERAL NOTES

- EXISTING ZONING - ML-AS
- ZONING MAP NO. NE 3F
- A.D.T. - 7 PER 1000 S.F. FLOOR AREA
 7 x 52403.1 = 3668.0 A.D.T.
- PRESENTLY ZONED - RES-1
 B-B 302300 FOR ENTIRE 1/2 TO STATE
 HIGHWAY 10000 NOV. 1, 1990
- DR. LIMITED EXEMPTION UNDER
 SECTION 20-171 (b) (5)
 DEC. NO. 02115F DIST. 10/1/90
- THE PROPERTY IS NOT IN THE CHESAPEAKE
 R-4 ZONING AREA

VARIANCES

- BUILDING TO EXISTING SETBACK - 10' IN REAR
 REQUIRED 20'
- 10' REAR YARD IN REAR OF BUILDING
 REQUIRED 20' IN REAR OF BUILDING
- 10' REAR YARD IN REAR OF BUILDING
 REQUIRED 20' IN REAR OF BUILDING
- 10' REAR YARD IN REAR OF BUILDING
 REQUIRED 20' IN REAR OF BUILDING
- 10' REAR YARD IN REAR OF BUILDING
 REQUIRED 20' IN REAR OF BUILDING

PLAN TO ACCOMPANY APPLICATION FOR VARIANCES

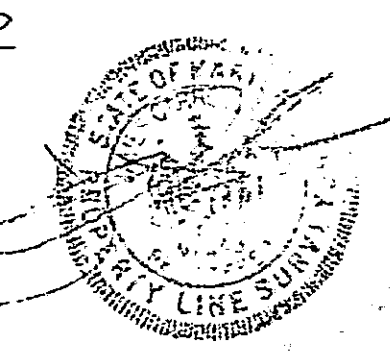
398
 CHALK EQUIPMENT
 5231 PULASKI HIGHWAY
 7th COUNTY COUNCIL DISTRICT 15th ELECTION DISTRICT
 BALTIMORE COUNTY, MARYLAND

OWNER / DEVELOPER
 JAMES S. CHAL
 5231 PULASKI HIGHWAY
 BALTIMORE, MD. 21237 (410) 654-0000

DATE	FEB 20, 1997
REV.	MAR. 12, 1997
REV.	
REV.	
REV.	

SCALE 1" = 50'
 WITHIN 10' W/10-97

W.T. SADLER SURVEYORS
 152 WESTMINSTER PIKE
 REISTERSTOWN, MARYLAND 21136
 (410) 526-5613



Phone (410) 526-5618
Fax (410) 526-7199

W. T. SADLER SURVEYORS
152 Westminster Road
Reisterstown, Maryland 21136

James C. Sadler

DATE: Feb. 24, 1997

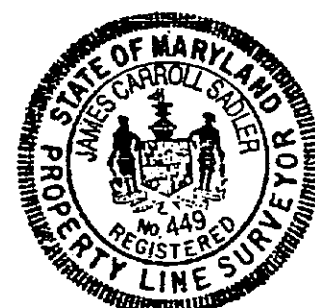
ZONING DESCRIPTION

8231 Pulaski Highway
15th Election District, Baltimore County, Maryland

Beginning for the same at the corner formed by the intersection of the southeast side of Pulaski Highway, 150 feet wide, with the southwest side of Hanzlik Avenue, 30 feet wide, thence the following courses and distances

- 1) south 31 degrees 53 minutes 36 seconds east 157.22 feet along the south-west side of Hanzlik Avenue thence
- 2) south 58 degrees 25 minutes 25 seconds west 96.36 feet
- 3) south 75 degrees 53 minutes 00 seconds west 41.88 feet and
- 4) south 58 degrees 25 minutes 25 seconds west 196.42 feet to the easternmost side of a road 20 feet wide there situate, thence binding along said road
- 5) north 19 degrees 06 minutes 36 seconds west 147.60 feet to intersect the aforementioned southeast side of Pulaski Highway; thence binding along the southeast side of Pulaski Highway
- 6) along a line curving to the left, with a radius of 25,539.79 feet, and a chord which bears north 58 degrees 19 minutes 16 seconds east 300.00 feet, the distance of 300.00 feet to the place of beginning as recorded in Liber 11029 folio 244.

Containing 1.0800 acres of land, more or less.



JAMES C. SADLER
REG. NO. 449

97-398-A

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 97-398-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE:

DATE AND TIME:

REQUEST: VARIANCE PETITION FOR VARIANCE TO PERMIT BUILDING TO BUILDING SETBACKS OF 10' AND 28' IN LIEU OF THE REQUIRED 60'; REAR YARD SETBACKS OF 20' AND 4' IN LIEU OF THE REQUIRED 30'; AND A 13.5' SETBACK FOR A CARPORT IN LIEU OF THE REQUIRED 22.5' AND A SIDEYARD SETBACK OF 27' IN LIEU OF THE REQUIRED 30'. POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

996
post.doc

CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/3, 1997

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 4 successive weeks, the first publication appearing on 4/3, 1997.

THE JEFFERSONIAN,
A. Henrichson
LEGAL AD. - TOWSON

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:
Case No. 97-398-A
8231 Pulaski Highway
15th Election District - 7th Councilmanic
Legal Owner(s): James S. Chalk
Variance to permit building to building setbacks of 10 feet and 28 feet in lieu of the required 60 feet; to permit a rear yard setback of 20 feet and 4 feet in lieu of the required 30 feet; and to permit a side yard setback of 27 feet in lieu of the required 30 feet.
Hearing: Tuesday, April 22, 1997 at 11:00 a.m., 4th floor Courts Building, 401 Bosley Avenue.
JAMES S. CHALK
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are handicapped accessible; for special accommodations please call 887-3353.
(2) For information concerning the file and/or hearing, please call 887-3391.
9001 April 3 031814

BALTIMORE COUNTY, MARYLAND 398 No. 028718
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 5-15-97 ACCOUNT 97-398-A
AMOUNT \$ 250.00
RECEIVED FROM: JAMES CHALK 8231 Pulaski Hwy
VAT. (020)
FOR: 0349190001MCHRC \$250.00
BA C010:19AM03-18-97
VALIDATION OR SIGNATURE OF CASHIER JCM
DATE-TIME: 5/15/97 10:00 AM



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 28, 1997

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-398-A
8231 Pulaski Highway
15th Election District - 7th Councilmanic
Legal Owner(s): James S. Chalk

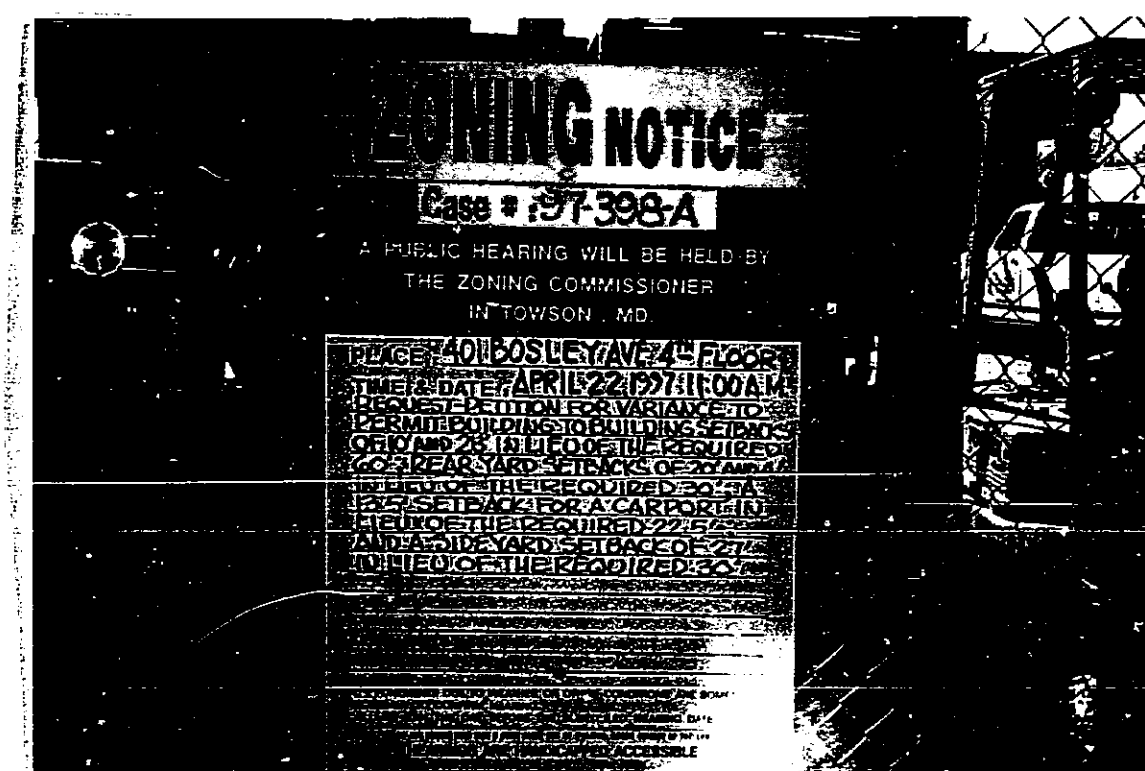
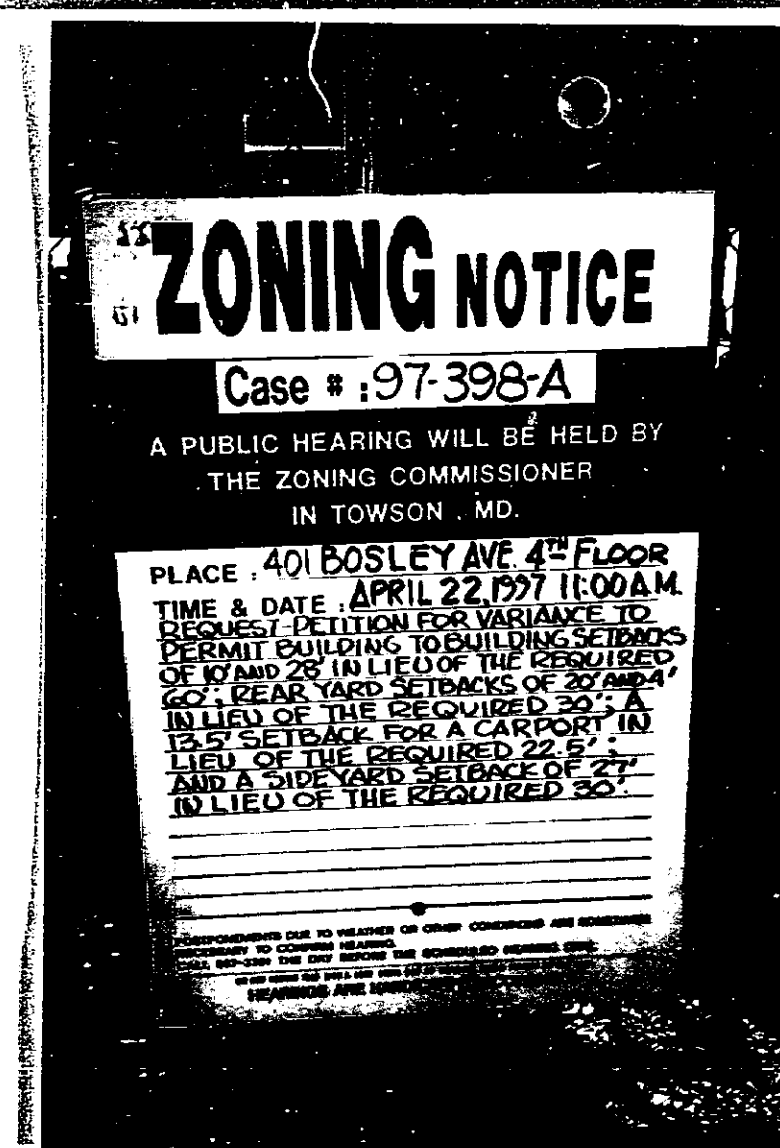
Variance to permit building to building setbacks of 10 feet and 28 feet in lieu of the required 60 feet; to permit a rear yard setback of 20 feet and 4 feet in lieu of the required 30 feet; and to permit a side yard setback of 27 feet in lieu of the required 30 feet.

HEARING: TUESDAY, APRIL 22, 1997 at 11:00 a.m., 4th floor Courts Building, 401 Bosley Avenue.

Arnold Jablon
Director

cc: James S. Chalk
Richard H. Keller, Esq.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY APRIL 7, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



TO: POTOMAC PUBLISHING COMPANY
April 4, 1997 Issue - Jeffersonian

Please forward billing to:

Richard H. Keller, Esq.
4453 Belair Road
Baltimore, MD 21206
485-1818

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-398-A
8231 Pulaski Highway
15th Election District - 7th Councilmanic
Legal Owner(s): James S. Chalk

Variance to permit building to building setbacks of 10 feet and 28 feet in lieu of the required 60 feet; to permit a rear yard setback of 20 feet and 4 feet in lieu of the required 30 feet; and to permit a side yard setback of 27 feet in lieu of the required 30 feet.

HEARING: TUESDAY, APRIL 22, 1997 at 11:00 a.m., 4th floor Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

CERTIFICATE OF POSTING

RE: Case No.: 97-398-A

Petitioner/Developer:

MR. TOM CHALK

Date of Hearing/Closing: 4-22-97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 8231 Pulaski Highway

The sign(s) were posted on APRIL 7TH 1997
(Month, Day, Year)

Sincerely,

Richard E. Moore
(Signature of Sign Poster and Date)

CHARLES E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD 21237
(City, State, Zip Code)

(410) 242-9263
(Telephone Number)

996
cert.doc



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 18, 1997

Richard H. Keller, Esquire
4453 Belair Road
Baltimore, MD 21206

RE: Item No.: 398
Case No.: 97-398-A
Petitioner: James S. Chalk

Dear Mr. Keller:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on March 18, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,
W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

Printed with Soybean Ink
on Recycled Paper

Printed with Soybean Ink
on Recycled Paper



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Parker F. Williams
Administrator

April 2, 1997

Ms Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building
Room 109
Towson MD 21204

RE: Baltimore County
Item No. 398
8231 Pulaski Highway
US 40
Mile Post 15.67

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval of the variance.

However, we will require the owner to obtain an access permit through this office.

Entrance construction shall be subject to the terms and conditions of an access permit issued by this office, with the following submittals required:

- Nine (9) copies of the site plan showing the SHA requirements.
- Completed application.
- Performance bond, letter of credit, or certified check (include Federal ID number or social security number on certified checks only) in the amount of 150% of the actual entrance construction cost and in an even thousand dollar increment. These must be made payable to the State of Maryland (Please note that it takes 6-8 weeks for a certified check to be returned after project completion and SHA final inspection).
- An engineering fee check in the amount of \$50.00 for each point of access, made payable to the State of Maryland.
- A letter of authorization from the appropriate agency relative to the relocation of any utilities which may be necessitated by this construction; or a letter from the developer acknowledging and agreeing to the financial responsibility for relocating any affected utilities, provided the cost for the utility relocation is included in the surety submitted for the permit.

My telephone number is 410-545-5600 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2259 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5900

(410) 887-4500

DATE: 10/07/96

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: James S. Chalk

Location: DISTRIBUTION MEETING OF April 17, 1997

Item No.: 398

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4891, MS-1102F
cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and Development Management
DATE: April 4, 1997
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning
SUBJECT: 8231 Pulaski Highway

INFORMATION:

Item Number: 398
Petitioner: Chalk Property
Property Size:
Zoning: ML-AS
Requested Action: Variance
Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:

This site is located within the area of the Pulaski Highway Corridor Study, and this study recommends upgrading properties wherever possible.

The subject variances will not impact other properties significantly; however, the portion of the property along Pulaski Highway should be landscaped and that treatment should be extended around the corner and along Hanzlik Avenue in order to achieve the goals of the Pulaski Highway Corridor Study.

Prepared by: *John W. L.*

Division Chief: *Pat Keller*

AFK/JL

ITEM398/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Management
DATE: April 7, 1997
FROM: Robert W. Bowling, Chief
Development Plans Review Division
SUBJECT: Zoning Advisory Committee Meeting
for April 7, 1997
Item No. 398

The Development Plans Review Division has reviewed the subject zoning item.

The entire site is subject to the Baltimore County Landscape Manual. Modification to the 10 foot wide landscape strip requirement along the Pulaski Highway right-of-way and the 7 percent interior landscape requirement for the parking lot is necessary to support the subject layout. A schematic landscape plan must be submitted.

All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the Standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

RWB:HJO:cab

cc: File

ZONE407.398

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM
DATE: 3/23/97
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: March 31, 97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

396 404
397 405
398 406
401 408
402
403

RBS:sp

BRUCEZ/DEPRM/TXTSBP

Ms. Roslyn Eubanks
Page Two
April 2, 1997

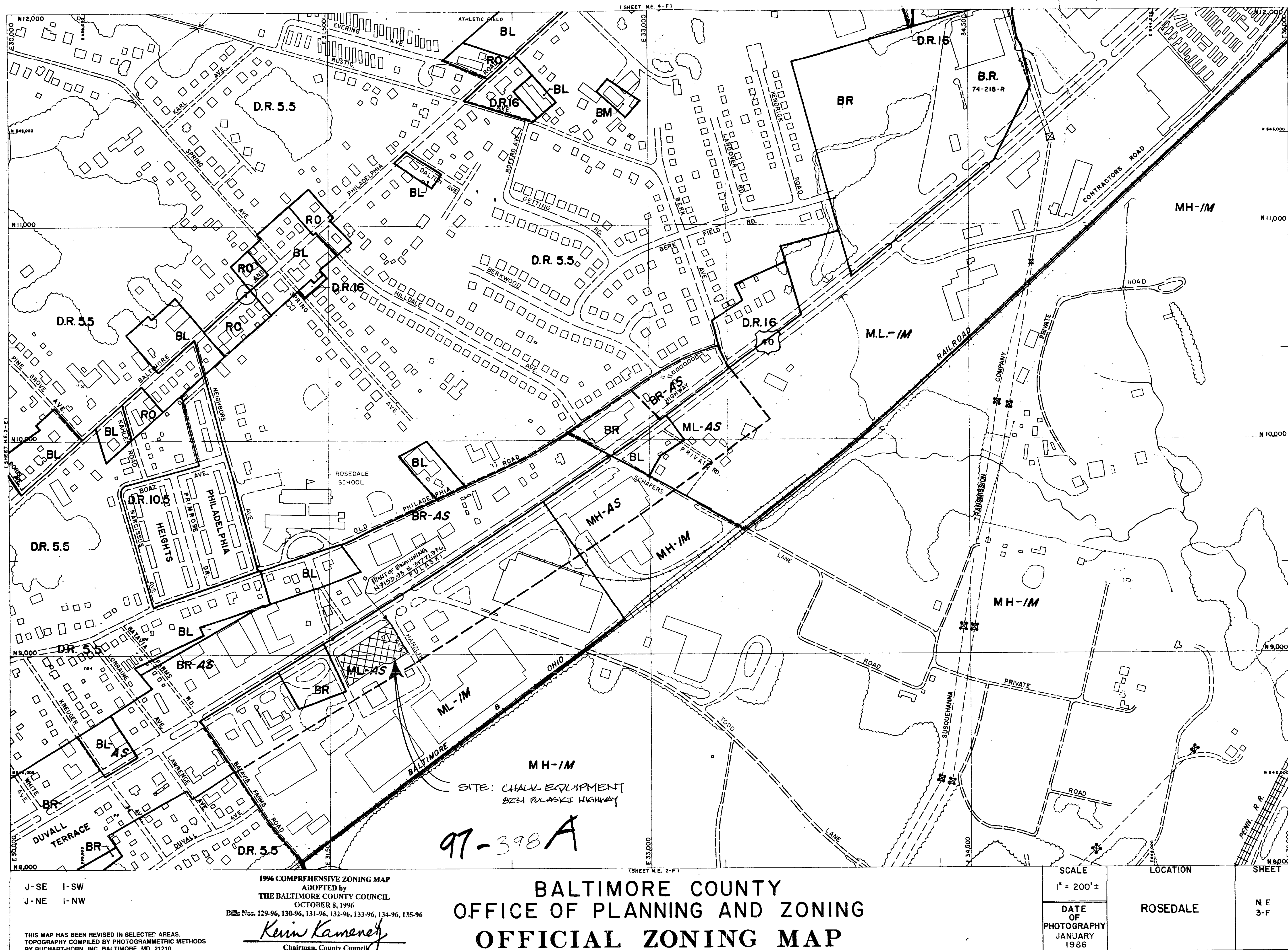
The surety for entrance construction must be received by this office prior to our approving any building permits for this development.

Please contact Larry Gradenin at 410-545-5606 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

F. Burns
Ronald Burns, Chief
Engineering Access Permits
Division

LG/eu



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE 1" = 200' ±	LOCATION ROSEDALE	SHEET NE 3-F
DATE OF PHOTOGRAPHY JANUARY 1986		

PARKING TABULATION

- PARKING REQUIREMENTS	
140 VIDEO SALES	5 PER 1000 ⁺
FLOOR AREA = 1416 ⁺	
PARKING REQUIRED	700 SPACES
CHALK EQUIPMENT	
1 PER EACH EMPLOYEE	
TOTAL EMPLOYEES = 8	
PARKING REQUIRED	8 SPACES
TOTAL PARKING SPACES REQUIRED	110 SPACES
TOTAL EXISTING PARKING SPACES	10 SPACES

- PAVING TYPE - MACADAM
- TYPICAL SPACE SIZE (MIN.) 8.5' X 15'

FLOOR AREA RATIO CALCULATION

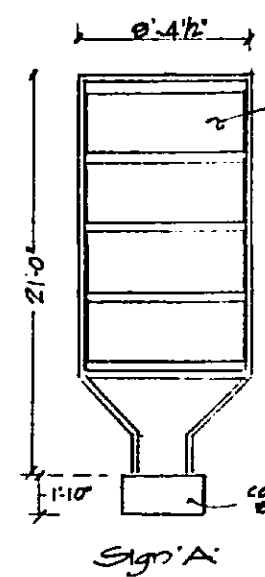
TOTAL FLOOR AREA

- 140 VIDEO --- 1416⁺
- Maintenance Bldg --- 1900⁺
- Proposed Bldg. --- 5000⁺

TOTAL GROSS SITE AREA = 5840310⁺

TOTAL FLOOR AREA = $\frac{8316}{5840310} = 0.1424$ (30 MAX)
GROSS SITE AREA

METAL SIGN
INTERIOR ILLUMINATION
COURTESY FRONT
SQUARE FOOTAGE
- ACTUAL DIMENSIONS
- BOTH SIDES
TOTAL = 132 SQ. FT.



SIGN DETAIL 1/4" = 1'-0"

WOOD SIGN
DOUBLE FACED
NO LIGHTING
SQUARE FOOTAGE
BOTH SIDES = 64 SQ. FT.

HIGHWAY

TODDS LANE (R/W VARIES)

PULASKI

GENERAL NOTES

- EXISTING ZONING ML-AS
- ZONING MAP NO. NE 3F
- A.D.T. 7 PER 1000 SQ. FT. FLOOR AREA
7 X 8.316 SQ. FT. = 58.21 A.D.T.
- PREVIOUS COMMERCIAL PERMIT
B-B 362380 FOR ENTRANCES TO STATE
HIGHWAY ISSUED NOV. 14, 1980
- D.R.C. LIMITED EXEMPTION UNDER
SECTION 26-171 (b) (5)
D.R.C. NO. 02135 F DIST. 15 CT 2/16/95
- THE PROPERTY IS NOT IN THE CHESAPEAKE
FRY CRITICAL AREA

VARIANCES

PROPOSED BLDG.

- BUILDING TO BUILDING SETBACK 10' IN LIEU OF
REQUIRED 60'
- 20' REAR YARD IN LIEU OF REQUIRED 20' REAR YARD
- 27' SIDE YARD IN LIEU OF REQUIRED 20' SIDE YARD

EXISTING SITE

- BUILDING TO BUILDING SETBACK 25' IN LIEU OF
REQUIRED 60'
- 4' REAR YARD IN LIEU OF REQUIRED 20' REAR YARD
- 13.5' SIDE YARD IN LIEU OF 22.5' (TEX) REQ FOR ROFF/
GARPORT

PLAN TO ACCOMPANY APPLICATION FOR
VARIANCE

CHALK EQUIPMENT
8231 PULASKI HIGHWAY

7TH COUNTY COUNCIL DISTRICT 15TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND #398

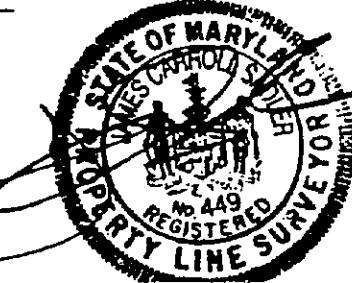
OWNER / DEVELOPER
JAMES B. CHALK
8231 PULASKI HIGHWAY
BALTIMORE, MD. 21257 (410) 686-6400

DATE FEB 20, 1997	REV.
DATE MAR. 12, 1997	REV.
SCALE 1" = 50'	REV.
WTS. 1000 11210-97	REV.

SURVEYORS CERTIFICATE

I, HEREBY CERTIFY THAT THE INFORMATION SHOWN
HEREON IS BASED ON A FIELD BOUND SURVEY AND THAT
THE LOCATION OF THE IMPROVEMENTS ARE LOCATED AS
SHOWN.

JAMES C. SADLER REG. NO. 442



W.T. SADLER SURVEYORS

152 WESTMINSTER PIKE
REISTERSTOWN, MARYLAND 21156
(410) 826-5610

- PARKING REQUIREMENTS

100 VEHICLES SERVED --- 3 SPACES	
PASSENGER AREA - 12 x 4 ft	
PARKING REQUIRED ---- 700 SPACES	
CULMINATING EQUIPMENT - 1 PER EACH BUS STOP	
TOTAL STOPS = 8	
PARKING REQUIRED ---- 8 SPACES	
TOTAL PARKING SPACES REQUIRED ----- 116 SPACES	
TOTAL EXISTING PARKING SPACES ----- 113 SPACES	

- PAVING TYPE - MACADAM
- TYPICAL SPACE SIZE (MIN.) 5.5' x 15'

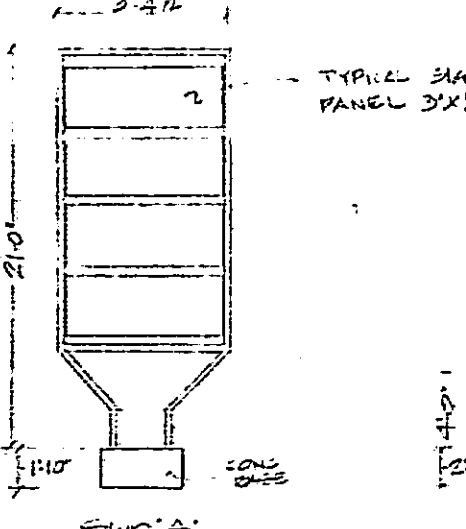
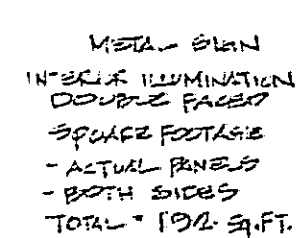
TOTAL FLOOR AREA
140 VIEWS -- 100 ft
SYSTEMS, BUS -- 1920 ft
ROPS & Bldg. -- 5000 ft

TOTAL GROUND SITE AREA = 5243107

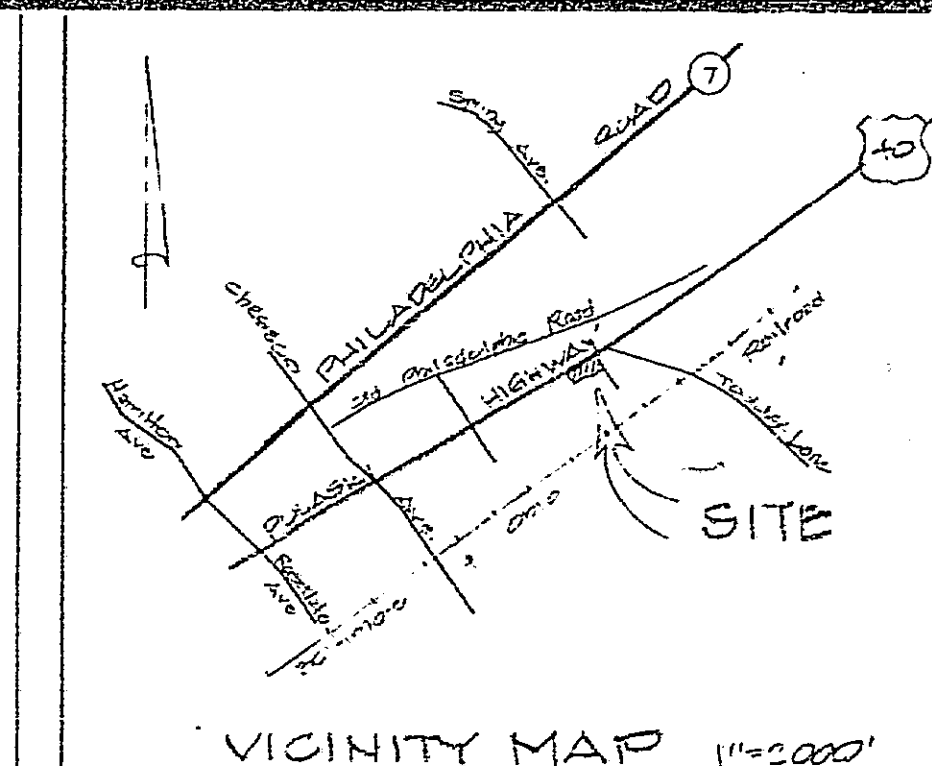
TOTAL FLOOR AREA
GROUND SITE AREA = $\frac{5210 \text{ ft}}{5243107} = 0.124 \text{ (30 MAX.)}$

2. HYPOTHESIS: THAT THE INVESTMENT FORMULA
HYPOTHESIS IS BASED ON A FEEL GOOD SURVEY AND THAT
THE INVESTMENT OF 2.5 MILLION DOLLARS ARE LIKELY TO
SUCCEED.

152 WESTMINSTER PIKE
REISTERSTOWN, MARYLAND 21106
(410) 526-5613



WOOD - GRAN
DOOR - FLRO
NO LIGHTING
SQUARE FOOTAGE



GENERAL NOTES

- EXISTING ZONING ML-AS
- ZONE MAP NO. NE 3P
- ADT. 7 PER 1000 SQ. FT. FIVE ACRES
7 A 23100 SQ. FT. = 30.2; ADT.
- PERMANENT EASEMENT PER 1
B-D 262300 FOR ENTERANCES TO STATE
HIGHWAY 190000 NOV. 14, 1939
- DRL LIMITED EXEMPTION UNDER
SECTION 20-171 (3)(5)
DRL NO. 02115P DIST. 18CT 2/4/83
- THE PROPERTY IS IN THE SUBDIVISION
B-D 262300 ACRES

97-398-A

VARIANCES

- PERMANENT BLDG
 BUILDING TO BUILDING SEPARATION 10' IN VIEW OF
 SEPARATED 60'
 1-12' REAR YARD IN VIEW OF BUILDING 20' FROM YARD
 2-14' REAR YARD IN VIEW OF SEPARATED 20' FROM YARD
 3-12' FROM 20'
 4-BUILDING TO BUILDING SEPARATION 12' IN VIEW OF
 SEPARATED 60'
 5-14' REAR YARD IN VIEW OF SEPARATED 20' FROM YARD
 6-13' REAR YARD IN VIEW OF SEPARATED 20' FROM YARD
 7-13' REAR YARD IN VIEW OF SEPARATED 20' FROM YARD

PLAN TO ACCOMPANY APPLICATION FOR
VARIANCE

CHACK EQUIPMENT
8331 PLASKI HIGHWAY
COUNCIL DISTRICT 15th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

OWNER / DEVELOPER
JAMES S. CHAL-
6231 POLASKI HIGHWAY
BALTIMORE, MD. 21237 (410) 636 0000

DATE FEB 20, 1997	
REV. MAR. 12, 1997	
REV.	
REV.	
SCALE 1" = 50'	REV.
W.T.B. JORD# W210-97	REV.

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
NWC Intersection of Pulaski Highway & Hanzlik Avenue * ZONING COMMISSIONER
8231 Pulaski Highway *
15th Election District * OF BALTIMORE COUNTY
7th Councilmanic District *
James S. Chalk * Case No. 97-398-A
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 8231 Pulaski Highway in eastern Baltimore County. The Petition was filed by James S. Chalk, property owner. Variance relief is requested from Sections 255.1 and 238.2 of the Baltimore County Zoning Regulations (BCZR) to permit building setbacks of 10 ft. and 28 ft. in lieu of the required 60 ft.; to permit rear yard setbacks for buildings of 20 ft. and 4 ft. in lieu of the required 30 ft.; and a rear yard setback of 13-1/2 ft. for a carport in lieu of the required 22-1/2 ft. (75% of the required 30 ft.) pursuant to Section 301.1.A of the BCZR; and to permit a side yard setback of 27 ft. in lieu of the required 30 ft. All of the subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

Appearing at the public hearing held for this case were John Thomas Chalk, the father of James S. Chalk, property owner, and James Sadler, the property line surveyor who prepared the site plan. There were no Protestants or other interested persons present.

An examination of the site plan submitted shows that the subject property is roughly rectangular in shape, zoned M.L.-A.S. The property fronts Pulaski Highway (U.S. Route 40) and vehicular access to the site is by way of two curb cuts from that road. The property is improved with several buildings which have been on the property for many years. More-

over, the Petitioner proposes construction of an additional building, which would be 100 ft. in width by 50 ft. in depth. The Petition for Variance is filed for this new building and to legitimize the existing setbacks for the structures presently on site.

Among the structures that are already existing is a single story structure 60 ft. by approximately 24 ft. This structure is presently used by a video sales business. Additionally, there exists a one story maintenance building in the center portion of the site which is presently used as a maintenance building by Mr. Chalk. John T. Chalk, the father of James S. Chalk, property owner, testified that he and his son are engaged in the business of renting forklifts and similar construction equipment. They operate this business from the site and utilize the maintenance building for their operation. They also propose constructing a warehouse building on the site. This building will be used to store forklifts rented in their operation and to protect equipment from the weather. As noted above, the proposed building will be 50 x 100 ft. in dimension.

Building to building setback relief is requested within the Petition. Specifically, the existing video store building and existing maintenance building are 28 ft. apart, less than the required 60 ft. Moreover, the proposed warehouse and maintenance buildings will be located 10 ft. apart. These two buildings will both be used by the business operated by Messrs. Chalk.

Rear yard setback relief is also requested. The property has an irregularly configured rear lot line and a 20 ft. setback on the corner of the new building to the rear property line is proposed. Also, the existing maintenance building presently features a 4 ft. setback. Lastly, attached to the rear of the video sales building is a carport which maintains a 13-1/2 ft. setback, in lieu of the required 22-1/2 ft. rear yard

property line setback. Finally, a side yard setback of 27 ft. is proposed for the new building, in lieu of the required 30 ft.

Testimony and evidence offered was that the setback relief requested, for both proposed and existing structures, is required in order to construct a reasonably sized building and legitimize the existing conditions. It was also noted that the area is commercial/industrial in character and that the use will not be inconsistent with the locale. Moreover, Mr. Chalk indicated that an existing entrance from Pulaski Highway would be widened and improved. He acknowledged that such improvements would be subject to approval from the State Highway Administration.

Zoning Plans Advisory Committee (ZAC) comments acknowledged that any ingress or egress improvements would be subject to the State Highway Administration's standards. Moreover, the Office of Planning and the Development Plans Review Division both requested that additional landscaping be installed. It was noted that, although commercial in appearance, the Pulaski Highway corridor study recommends upgrading properties wherever possible.

Based upon the testimony and evidence offered, all of which is uncontradicted, I am persuaded to grant the Petition for Variance. In my judgment, the Petitioner has satisfied the requirements set forth in Section 307 of the BCZR. However, relief will be conditioned to require the Petitioner to comply with the requirements of the State Highway Administration as they relate to the improvement of the existing entrance. Moreover, I shall adopt the condition recommended by the Office of Planning. Some limited upgrade in landscaping is appropriate. Although it must be recognized that this property is commercial/industrial in use; nonetheless an upgrade of the site is warranted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 6th day of May, 1997 that a variance from Sections 255.1 and 238.2 of the Baltimore County Zoning Regulations (BCZR) to permit building to building setbacks of 10 ft. and 28 ft. in lieu of the required 60 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 301.1.A of the BCZR to permit rear yard setbacks for buildings of 20 ft. and 4 ft., in lieu of the required 30 ft. and a rear yard setback of 13-1/2 ft. for a carport in lieu of the required 22-1/2 ft. (75% of the required 30 ft.) be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance to permit a side yard setback of 27 ft., in lieu of the required 30 ft. be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Compliance with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZAC), namely, the State Highway Administration dated April 2, 1997 are adopted in their entirety and made a part of this Order.
3. The Petitioner shall provide a landscape plan to the Office of Planning for approval by the Baltimore County Landscape Planner. The approved landscape plan shall become a permanent part of the record and file in this matter.

4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner
for Baltimore County

LES/mm



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

May 6, 1997

Mr. James S. Chalk
Mr. James T. Chalk
8231 Pulaski Highway
Baltimore, Maryland 21237

RE: Case No. 97-398-A
Petition for Zoning Variance
Property: 8231 Pulaski Highway

Gentlemen:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mm

att.
c: Richard H. Keller, Esquire, 4453 Belair Road, Baltimore, Md. 21206



Petition for Variance to the Zoning Commissioner of Baltimore County

for the property located at 8231 PULASKI HIGHWAY
97-398-A which is presently zoned MLAS

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEE ATTACHED

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

TO BE PRESENT AT HEARING.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

City State Zipcode

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

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Signature

Signature

With do hereby declare and affirm, under the penalties of perjury, that I am the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

(Type or Print Name)

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

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Signature

Signature

VARIANCES RELIEF

FROM SECTIONS 255.1 & 238.2; BCZR, TO
PERMIT BUILDING TO BUILDING SETBACKS
OF 10' AND 28' IN LIEU OF THE REQUIRED
60';

FROM SECTIONS 255.1 & 238.2; BCZR, TO
PERMIT REAR YARD SETBACKS OF 20' AND
4' IN LIEU OF THE REQUIRED 30' AND A CARPORT
SETBACK OF 13.5' FOR A CARPORT IN
LIEU OF THE REQUIRED 22.5' (75% OF REQUIRED 30' PER SECTION 301.1A; BCZR); and

FROM SECTIONS 255.1 & 238.2; BCZR, TO PERMIT
A SIDE YARD SETBACK OF 27' IN LIEU
OF THE REQUIRED 30'.

398

398

Phone (410) 526-5618
Fax (410) 526-7199

W. T. SADLER SURVEYORS
152 Westminster Road
Reisterstown, Maryland 21136

James C. Sadler

DATE: Feb. 24, 1997

ZONING DESCRIPTION

8231 Pulaski Highway
15th Election District, Baltimore County, Maryland

Beginning for the same at the corner formed by the intersection of the southeast side of Pulaski Highway, 150 feet wide, with the southwest side of Hanzlik Avenue, 30 feet wide, thence the following courses and distances

- 1) south 31 degrees 53 minutes 36 seconds east 157.22 feet along the south-west side of Hanzlik Avenue thence
- 2) south 58 degrees 25 minutes 25 seconds west 96.36 feet
- 3) south 75 degrees 53 minutes 00 seconds west 41.88 feet and
- 4) south 58 degrees 25 minutes 25 seconds west 196.42 feet to the easternmost side of a road 20 feet wide there situate, thence binding along said road
- 5) north 19 degrees 06 minutes 36 seconds west 147.60 feet to intersect the aforementioned southeast side of Pulaski Highway; thence binding along the southeast side of Pulaski Highway
- 6) along a line curving to the left, with a radius of 25,539.79 feet, and a chord which bears north 58 degrees 19 minutes 16 seconds east 300.00 feet, the distance of 300.00 feet to the place of beginning as recorded in Liber 11029 folio 244.

Containing 1.0800 acres of land, more or less.



JAMES C. SADLER
REG. NO. 449

97-398-A

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 97-398-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE:

DATE AND TIME:

REQUEST: VARIANCE PETITION FOR VARIANCE TO PERMIT BUILDING TO BUILDING SETBACKS OF 10' AND 28' IN LIEU OF THE REQUIRED 60'; REAR YARD SETBACKS OF 20' AND 4' IN LIEU OF THE REQUIRED 30'; AND A 13.5' SETBACK FOR A CARPORT IN LIEU OF THE REQUIRED 22.5' AND A SIDEYARD SETBACK OF 27' IN LIEU OF THE REQUIRED 30'. POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

996
post 4.doc

CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/3, 1997

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/3, 1997.

THE JEFFERSONIAN,
A. Henrichson
LEGAL AD. - TOWSON

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:
Case No. 97-398-A
8231 Pulaski Highway
15th Election District - 7th Councilmanic
Legal Owner(s): James S. Chalk
Variance to permit building to building setbacks of 10 feet and 28 feet in lieu of the required 60 feet; to permit a rear yard setback of 20 feet and 4 feet in lieu of the required 30 feet and a rear yard setback of 13.5 feet for a carport in lieu of the required 22.5 feet (75% of required 30 feet); and to permit a side yard setback of 27 feet in lieu of the required 30 feet.
Hearing: Tuesday, April 22, 1997 at 11:00 a.m., 4th floor Courts Building, 401 Bosley Avenue.
JAMES S. CHALK
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are handicapped accessible for special accommodations please call 887-3353.
(2) For information concerning the file and/or hearing, please call 887-3391.
9001 April 3 031814

BALTIMORE COUNTY, MARYLAND 398 No. 028718
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 5-15-97 ACCOUNT 97-398-A
AMOUNT \$ 250.00
RECEIVED FROM JAMES CHALK 8231 Pulaski Hwy
VAT. (020)
FOR: 8349190001MCHRC \$250.00
BA C010:19AM03-18-97
VALIDATION OR SIGNATURE OF CASHIER JCM
DATE-TIME: 5/15/97 10:00 AM



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 28, 1997

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-398-A
8231 Pulaski Highway
15th Election District - 7th Councilmanic
Legal Owner(s): James S. Chalk

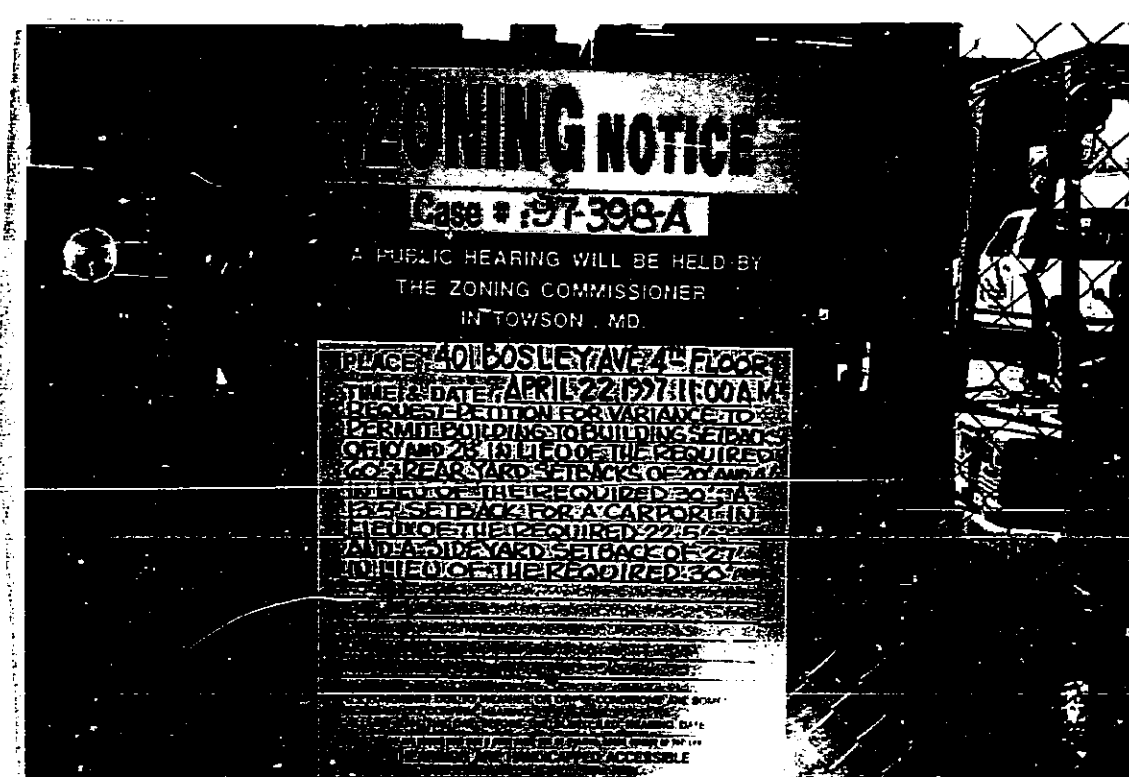
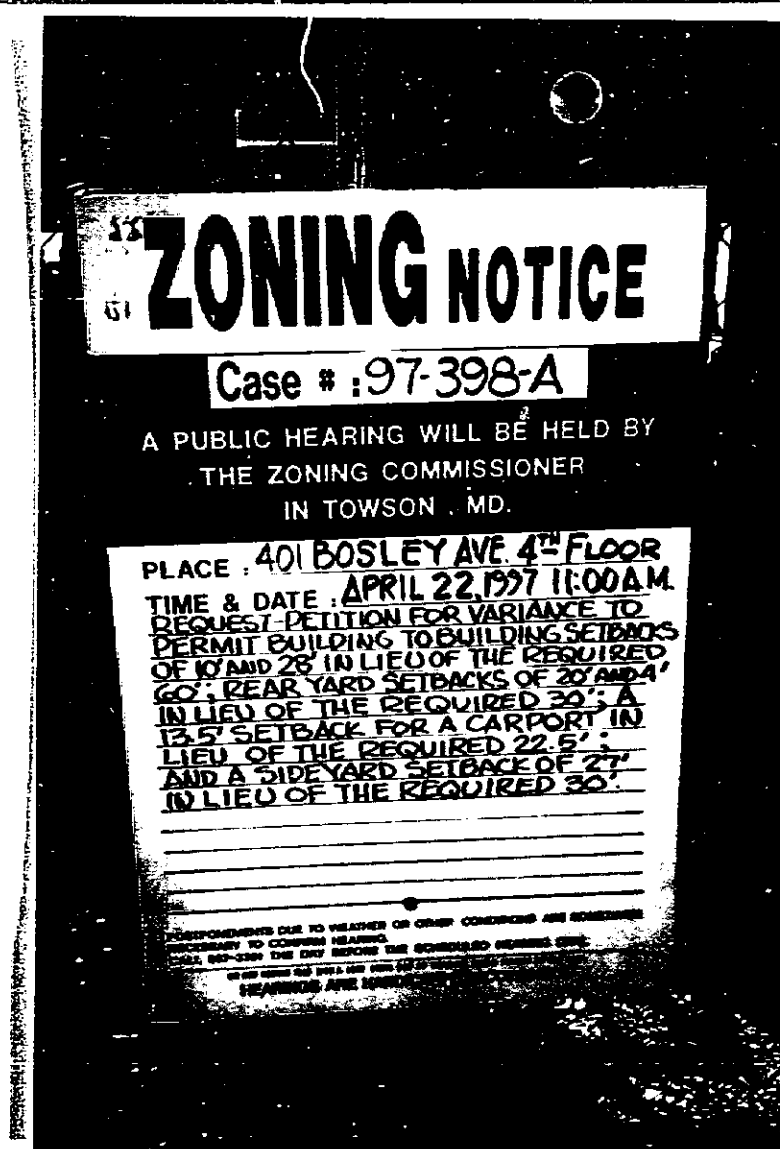
Variance to permit building to building setbacks of 10 feet and 28 feet in lieu of the required 60 feet; to permit a rear yard setback of 20 feet and 4 feet in lieu of the required 30 feet and a rear yard setback of 13.5 feet for a carport in lieu of the required 22.5 feet (75% of required 30 feet); and to permit a side yard setback of 27 feet in lieu of the required 30 feet.

HEARING: TUESDAY, APRIL 22, 1997 at 11:00 a.m., 4th floor Courts Building, 401 Bosley Avenue.

Arnold Jablon
Director

cc: James S. Chalk
Richard H. Keller, Esq.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY APRIL 7, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE. FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



TO: POTOMAC PUBLISHING COMPANY
April 4, 1997 Issue - Jeffersonian

Please forward billing to:

Richard H. Keller, Esq.
4453 Belair Road
Baltimore, MD 21206
485-1818

NOTICE OF HEARING

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HEARING: TUESDAY, APRIL 22, 1997 at 11:00 a.m., 4th floor Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE. FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

CERTIFICATE OF POSTING

RE: Case No.: 97-398-A

Petitioner/Developer:

MR. TOM CHALK

Date of Hearing/Closing: 4-22-97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 8231 Pulaski Highway

The sign(s) were posted on APRIL 7TH 1997
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

Garland E. Moore
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD 21237
(City, State, Zip Code)

(410) 242-9263
(Telephone Number)

996
cert.doc



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 18, 1997

Richard H. Keller, Esquire
4453 Belair Road
Baltimore, MD 21206

RE: Item No.: 398
Case No.: 97-398-A
Petitioner: James S. Chalk

Dear Mr. Keller:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on March 18, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,
W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

Printed with Soybean Ink
on Recycled Paper

Printed with Soybean Ink
on Recycled Paper



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Parker F. Williams
Administrator

April 2, 1997

Ms Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building
Room 109
Towson MD 21204

RE: Baltimore County
Item No. 398
8231 Pulaski Highway
US 40
Mile Post 15.67

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval of the variance.

However, we will require the owner to obtain an access permit through this office.

Entrance construction shall be subject to the terms and conditions of an access permit issued by this office, with the following submittals required:

- Nine (9) copies of the site plan showing the SHA requirements.
- Completed application.
- Performance bond, letter of credit, or certified check (include Federal ID number or social security number on certified checks only) in the amount of 150% of the actual entrance construction cost and in an even thousand dollar increment. These must be made payable to the State of Maryland (Please note that it takes 6-8 weeks for a certified check to be returned after project completion and SHA final inspection).
- An engineering fee check in the amount of \$50.00 for each point of access, made payable to the State of Maryland.
- A letter of authorization from the appropriate agency relative to the relocation of any utilities which may be necessitated by this construction; or a letter from the developer acknowledging and agreeing to the financial responsibility for relocating any affected utilities, provided the cost for the utility relocation is included in the surety submitted for the permit.

My telephone number is 410-545-5600 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2259 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5900

(410) 887-4500

DATE: 10/07/96

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: James S. Chalk

Location: DISTRIBUTION MEETING OF April 17, 1997

Item No.: 398

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4891, MS-1102F
cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and Development Management
DATE: April 4, 1997
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning
SUBJECT: 8231 Pulaski Highway

INFORMATION:

Item Number: 398
Petitioner: Chalk Property
Property Size:
Zoning: ML-AS
Requested Action: Variance
Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:

This site is located within the area of the Pulaski Highway Corridor Study, and this study recommends upgrading properties wherever possible.

The subject variances will not impact other properties significantly; however, the portion of the property along Pulaski Highway should be landscaped and that treatment should be extended around the corner and along Hanzlik Avenue in order to achieve the goals of the Pulaski Highway Corridor Study.

Prepared by: *John W. L.*

Division Chief: *Pat Keller*

AFK/JL

ITEM398/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management
DATE: April 7, 1997
FROM: Robert W. Bowling, Chief
Development Plans Review Division
SUBJECT: Zoning Advisory Committee Meeting
for April 7, 1997
Item No. 398

The Development Plans Review Division has reviewed the subject zoning item.

The entire site is subject to the Baltimore County Landscape Manual. Modification to the 10 foot wide landscape strip requirement along the Pulaski Highway right-of-way and the 7 percent interior landscape requirement for the parking lot is necessary to support the subject layout. A schematic landscape plan must be submitted.

All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the Standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

RWB:HJO:cab

cc: File

ZONE407.398

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM
DATE: 3/23/97
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: March 31, 97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 396 404
397 405
398 406
401 408
402
403

RBS:sp

BRUCEZ/DEPRM/TXTSBP

Ms. Roslyn Eubanks
Page Two
April 2, 1997

The surety for entrance construction must be received by this office prior to our approving any building permits for this development.

Please contact Larry Gradenin at 410-545-5606 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

F. C. Burns
Ronald Burns, Chief
Engineering Access Permits
Division

LG/eu